Northern Virginia Community College (NOVA)

2023 Annual Security Report

Contents

Northern Virginia Community College (NOVA) 1
2023 Annual Security Report 1
A Message from the Chief of Police 6
About NOVA 7
Our Mission 7
Our Vision 7
Our Core Values 7
College Governance 8
Clery Act Information 10
Crime Prevention 11
Keeping NOVA Safe 11
Staying Informed about Safety 12
Reporting a Crime 15
LiveSafe 15
Panic Dialers 16
Call Boxes 16
Public Safety Newsletters 16
Crime Alerts 16
Reporting a Concern 17
Report an Academic Integrity Violation 17
Report a Student Conduct Violation (Non-Academic Integrity) 17
Report Sexual Misconduct (Title IX) 17
Report a Student Needing Assistance (Non-Conduct) 18
Title IX Pregnant and Parenting Accommodations Request 18
Ombuds Assistance Request 19
Office of Employee Ombuds 19
College Police 20
Campus Security Authorities (CSA) 21
NOVA Clery Crime Statistics 23

NOVA Clery Geography 24
Campus / Center Maps & Directions 25
Alexandria Campus Crime Statistics 26
Annandale Campus Crime Statistics 28
Loudoun Campus Crime Statistics 30
Manassas Campus Crime Statistics 31
Medical Campus Crime Statistics 32
Woodbridge Campus Crime Statistics 33
7630 Little River Turnpike (Brault Annex / Pitney Bowes Building) Crime Statistics 34
Quantico Marine Corps Base Crime Statistics 36
Joint Base Myers-Henderson Hall Crime Statistics 37
Fort Belvoir Crime Statistics 38
Reston Center Crime Statistics 39
NOVA Online/Fairfax Crime Statistics 40
Policies and Regulations 41
Emergency Notifications/Timely Warning Notices 41
Timely Warning Notices 41
Emergency Response and Evacuation 41
Testing Emergency Response and Evacuation Procedures 42
Crisis Communications Protocols 43
Emergency Action Plan 46
Access to Campus Buildings and Maintenance of Campus Facilities 46
Locks on Classroom Doors 46
Electronic Card Security and Door Access Control System 46
Separate-Campus Facilities 46
Monitoring and Managing Concerning Threatening Behavior 47
On-Campus Security Cameras - Monitoring and Recording 48
Non-Campus Monitoring of Activities 49
On-Campus Residential Housing 49
Missing Person Guide 49
Firearms/Dangerous Weapons and Materials Policy 49
Alcohol and Controlled Substance Policy and Procedures 50

Drug and Alcohol Abuse Prevention Program for Employees 51
Policy on Sexual Harassment 52
A. Notice of Nondiscrimination 52
B. Policy 52
C. Purpose 52
D. Applicability 52
E. Definitions 53
F. Retaliation 57
G. Reporting Incidents of Sexual Harassment 58
H. Confidentiality and Anonymous Reports 58
I. Immunity 59
J. Timely Warnings 60
K. Interim Measures 60
L. Supportive Measures 60
M. Procedures to Follow after an Incident 60
N. Support Services 61
O. Education and Awareness Program 62
P. Academic Freedom and Freedom of Speech 62
Q. False Statements 62
R. Consensual Relationships 63
S. Handling Reports of Sexual Violence 63
T. Handling Reports of Sexual Harassment 64
U. Resolution of Formal Complaints 65
V. Formal Resolution Process 66
W. Conduct of Live Hearing 70
X. Actions Following the Written Determination 74
Y. Appeals 74
Z. Informal Resolution Process 75
AA. Sanctions & Corrective Actions 76
BB. Academic Transcript Notations and Expungement 77
CC. Training and Training Materials 78
DD. Record Keeping 78

EE. Use of Template/Reports to System Counsel 79
Title IX Participant Training 79
Respondent's Rights and Options for those Accused of Sexual Misconduct 80
NOVA Victim's/Complainant's Rights 83
Sex Offender Registry and Access to Related Information 84
If Sexual Assault Happens to You 85
Mandatory Reporting of Child Abuse 85
Medical Care 86
Educational Programs about Sexual Assault Prevention and Related Issues 87
Code of Student Conduct, Rights, and Responsibilities 88
Definitions 88
Student Rights 89
Student Responsibilities 91
NOVA's Core Values 91
Reporting Violations 91
Administrative Responsibilities 91
Interim Actions 92
Violations and Sanctions 92
Conduct Process 98
Records 101
Disclaimer 101

A Message from the Chief of Police

Dear Members of the NOVA Campus Community,

Here at NOVA, we work every day to provide an outstanding education in a safe environment. We have a dedicated staff of highly trained safety and security professionals who take many approaches that include preventive measures, rapid response capabilities, tools and equipment, and safety-oriented education and training to empower the NOVA community.

Please review the important safety and security information in this report. It represents NOVA's commitment to your wellbeing and safety.

NOVA's Police Department, Office of Emergency Management and Safety, Title IX Office, Office of Wellness and Mental Health, Office of Wellness and Wellbeing, and many others ensure the campus learning environment is safe and secure, so the College can serve the region by providing access, service, and continuous learning. We are here to serve you, but we need your help to do that most effectively. Our goal of creating the safest, most secure learning community is only possible when we work collaboratively. Therefore, I ask you to take a proactive approach toward your safety and toward helping others. You can assist simply by reporting unusual, concerning, or suspicious activities or behaviors, and we will make every effort to protect your confidentiality. Reporting an incident does not necessarily result in someone getting into trouble and often gives the Police and other College entities the opportunity to provide assistance to a person in need.

NOVA is proactive in promoting safety and preventing crime. This report outlines many outreach programs and initiatives designed to protect, educate, and empower the NOVA community. Familiarize yourself with the resources available to assist you. As an active member of our community, we solicit your assistance and suggestions in responding to crime and safety issues on campus.

If you have any questions, or would like more information regarding campus safety and security, or this report, contact me at 703.764.5074 or visit the College Police and Emergency Management websites at
http://www.nvcc.edu/police/index.html
https://www.nvcc.edu/emergency/

W. J. Jacoby
Chief of Police
Northern Virginia Community College

About NOVA

Since 1965, Northern Virginia Community College has offered a world-class education at an affordable price. NOVA is the largest supplier of talent in Northern Virginia and one of the largest community colleges in the United States, comprised of more than 80,000 students and 3,400 faculty and staff members. We welcome students of all ages from all backgrounds with the ultimate goal of ensuring every student succeeds, every program achieves, and every community prospers.

Whether it is your first time to college or you are returning to complete a degree, pursue continuing education or change the direction of your career, there is a place for everyone at NOVA. We offer over 100 associate's degree and certificate programs, including distance learning programs through NOVA Online and continuing education courses through Workforce Development. Located near Washington, D.C., the College includes six campuses.

Our commitment to inclusive excellence is one of our core values – at NOVA, you can come as you are and become who you want to be. At NOVA, you can choose an educational path that works for you; whether you're interested in an information technology or cyber security career, you want to help patients as a respiratory therapist or health technician, or you dream of building the infrastructure and technologies that shape daily life as an engineer.

Our Mission

Northern Virginia Community College provides equitable access to affordable and exceptional higher education and workforce programs, transforming the lives of our students and advancing opportunity in our community

Our Vision

To be a learning-centered organization that promotes student success.

Our Core Values

Care is demonstrated at NOVA through a culture of compassion where success and well-being are prioritized in our commitment to developing authentic relationships and providing resources to foster a supportive and thriving community.

Excellence is demonstrated at NOVA through our high quality and cutting-edge programs; innovative, talented and experienced faculty and staff; and strong and effective relationships with employer and university partners—all to ensure our students are ready for graduation, transfer and high-demand careers.

Inclusion is demonstrated at NOVA through our intentional commitment to welcoming, supporting and engaging diverse people and perspectives so that a sense of belonging is cultivated throughout our college community.

Integrity is demonstrated at NOVA through adherence to principles and actions that foster accountability, honesty and trustworthiness; commitment to truth and fairness is ensured by ethical, equitable and professional behavior, and prioritizing the needs of students and the community we serve.

Respect is demonstrated at NOVA through treating each other with courtesy and dignity, acknowledging and valuing differing ideas and perspectives, affirming the uniqueness of every individual and being mindful of personal boundaries.

College Governance

Virginia Community College System (VCCS)
The Virginia Community College System is the agency responsible for the administration and supervision of the system of community colleges in the Commonwealth of Virginia under the authority of the State Board for Community Colleges.

The Chancellor is the VCCS chief executive officer and serves as the secretary of the State Board for Community Colleges. The chancellor is appointed by the State Board for Community Colleges.

The Chancellor is responsible for formulating such rules and regulations and providing such assistance in the office of the Chancellor as necessary to support the performance of the chancellor's duties. The state board prescribes these duties, in addition to those duties otherwise prescribed by law. At its discretion, the State Board also approves the appointment by the Chancellor of such agents and employees as may be needed by the Chancellor and the VCCS to implement all assigned functions, duties, and powers.

NOVA Organizational Chart:
https://www.nvcc.edu/president/pdf/2022/NOVA-Org-Chart-07-01-2022.pdf

VCCS Website:
www.vccs.edu

Northern Virginia Community College Board
The Northern Virginia Community College Board is a local advisory board, made up of eleven members. These members represent the nine jurisdictions that support the College: the counties of Arlington, Fairfax, Loudoun and Prince William; and the cities of Alexandria, Fairfax, Falls Church, Manassas and Manassas Park. The College Board has delegated authority from the State Board over local matters and advises the State Board on the College's curriculum, facilities, and finances.

Administrative Council
The Administrative Council consists of the President's immediate executive staff. The Council reviews matters concerning College policy and administrative procedures and makes appropriate recommendations to the President. The Administrative Council is composed of the following standing members:

- President, Chair
- Vice President, Academic Affairs and Chief Academic Officer
- Vice President, Finance & Administration
- Vice President, IET and College Computing
- Vice President, Enrollment Management and Student Success
- Vice President for Strategy, Research, and Workforce Innovation
- Chief Diversity, Equity, and Inclusion Officer
- Chief of Staff
- Provost (each NOVA campus)

Educational Foundation
Established in 1979, the Northern Virginia Community College Educational Foundation supports more than 200 college scholarships and academic programs. The foundation raises private financial support to augment programs and existing services and to attract funds to develop new courses and programs. For more information visit: http://www.nvcc.edu/foundation/

Violence Prevention Committee
In accordance with VCCS and § 23-9.2:10 of Virginia Code., NOVA established the Violence Prevention Committee. The governing board of NOVA shall determine a violence prevention committee structure on campus composed of individuals charged with education on and prevention of violence on campus. Each violence prevention committee shall include representatives from student affairs, law enforcement, human resources, counseling services, residence life, and other constituencies as needed and shall consult with legal counsel as needed. Each violence prevention committee develop a clear statement of purpose, membership, and leadership. Such statement is published and made available to the campus community.

Clery Act Information

NOVA is committed to providing the campus community and visitors with the safest and most secure environment possible. NOVA encourages campus community members to remain aware of personal safety and work cooperatively with the campus to ensure the security of all.
NOVA follows all applicable state and federal reporting laws to ensure a safe campus required by the Crime Awareness and Campus Act of 1990, better known as the "Clery Act" which is contained in section 485 of the Higher Education Act, codified at 20 U.S.C. § 1092. The Police Department collects selected crime statistics, prepares an annual security report containing the collected crime statistics for the preceding three (3) years, and makes this report available prominently on the NOVA website not later than October 1st annually. Data are collected from College Police logs, Campus Security Authorities (CSAs), Department of Human Resources, the Office of System Counsel for NOVA, the Office of Student Rights & Responsibilities, the Office of Wellness and Mental Health, the Office of Emergency Management, the Title IX Office, and local police in jurisdictions that adjoin our campuses or other local, state, federal, or foreign jurisdictions where the College conducts non-Campus classes and educational activities. NOVA includes in the Annual Security Report crime statistics which include all Clery crimes reported to any CSA.

Reportable offenses for Clery Act purposes are:

- Criminal homicide, including murder and both negligent and non-negligent manslaughter
- Sexual offenses which include rape, fondling, incest, and statutory rape
- Robbery
- Aggravated assault
- Burglary
- Motor vehicle theft
- Arson
- Hate crimes and any associated larceny, simple assault, intimidation, or vandalism/destruction of property
- Arrests and/or disciplinary referrals for liquor law violations, drug law violations, or illegal weapons possession
- Domestic violence
- Dating violence
- Stalking

As required by law, this report, which is available free of charge in printed or electronic format, provides information about security on campus including: campus community crime statistics, institutional policies on campus security, alcohol and drug use policies, the reporting of crimes, sexual assault, sexual harassment, and crime prevention. This report also provides phone numbers of helpful community resources. A map with directions to each NOVA campus or center can be found at: https://www.nvcc.edu/campuses/index.html. Keep this useful reference information where it can be easily located.

All current students and employees are notified of the availability of the report through an email announcement, various police publications, student, faculty and staff orientations, the monthly Public Safety Newsletter, and closed-circuit TV announcements. In addition, the Annual Security Report is made available on-line to prospective students and College employees. The most recent Annual Security Report is available online at the College's Clery Compliance homepage, https://www.nvcc.edu/police/college-safety/reports.html. Past copies are also available at the above link. Copies of all reports in printed form can be requested from the Chief of Police by calling 703.764.5000 or emailing NOVAPolice@nvcc.edu. There is no charge for these reports.

Crime Prevention

Keeping NOVA Safe

NOVA works hard to ensure the safety and security of the College community. However, students and employees must take ultimate responsibility for their own safety and their personal belongings. NOVA regulations prohibit all of the Clery crimes and Violence Against Women's Act (VAWA) related crimes of dating violence, domestic violence, sexual assault, and stalking upon College property.

Common sense precautions are the most effective means of maintaining personal security. Here are some practical suggestions:

- Remain alert, pay attention to your surroundings; be cautious when using devices that make it difficult to hear or see people around you
- Although the campuses are safe, students and staff are encouraged to walk in pairs or groups after dark. Students may request a police escort on College property by calling Police Dispatch at 703.764.5000.
- Use the lighted paths and sidewalks on campus; avoid walking in the wooded areas where you cannot be seen.
- Park in well lighted areas, and check the inside of your vehicle before entering it.
- Telephones in campus classrooms, offices, and other selected locations are equipped with "panic buttons" which, when activated, result in an immediate notification to police dispatch and the resulting appropriate police response.
- Valuable personal property should not be brought on campus. If you choose to bring valuable property onto campus, secure it out of sight in an automobile or keep it with you at all times. Books, book bags, backpacks, electronic equipment and purses are targets for theft. If possible, engrave your property with a unique identifier. The College is not responsible for lost personal property.
- Carry only the credit cards and cash you need for the day.
- Avoid ATM transactions while alone at night.
- Consider carrying a small flashlight and whistle with you.
- Do not leave laptops, mobile phones, or other personal items unattended at any time, even when closing your eyes for a quick nap.

- Notify the College Police, campus security, or a college staff member of any individual who appears not to have legitimate business on campus or whose actions arouse suspicion or concern.
- Know the 24/7 phone number of the college police ***703.764.5000***. Program it into your cell phone. Remember, call 911 in an emergency.
- Sign up for NOVA Alert and download the FREE LiveSafe mobile safety app.

All members of our College community must work together, as NOVA continues to enhance an environment in which students, employees and visitors are safe and secure.

Staying Informed about Safety

NOVA Clery information is easily assessable to the public at any time at the following link: https://www.nvcc.edu/police/clery/index.html. The associated Clery information below is available at the easy to use on-line location.

- Daily Crime Log
  - List the daily criminal incidents reported to Campus Police and their status
- Clery reportable crime definitions and associated information
- Crime Alerts
- Annual Security Report
  - From 2016 through 2022
- Training resources
- Additional resources
  - Links to U.S. Federal Clery resources
  - Links to NOVA specific Clery guidance documents

In addition, during 2021/2022/2023 NOVA continued its safety and security education and outreach campaign for NOVA faculty, staff, and students. The initiative included a multi-departmental approach with courses and seminars taught by the Police, Office of Wellness and Mental Health, the Office of Emergency Management and Safety (OEMS), the Office of Student Rights & Responsibilities, and the Title IX office. The departments provided outreach in several different venues and formats to maximize attendance. Through this combined effort NOVA conducted presentations that included programing for ongoing prevention and awareness campaigns that addressed active shooter response, staying safe on campus and in public, gangs, illegal drug use, sexual assault and how to diffuse toxic verbal situations. In addition, to the in-person training, Student Rights & Responsibilities launched additional on-line training available to anyone which included training on *Sexual Violence Awareness and Prevention: A Title IX Training for Students and a training on Alcohol and Drug Awareness*.

A description of various trainings can be found at the following link along with their delivered frequency throughout the academic year. https://www.nvcc.edu/police/clery/training.html. Below is a list of specific safety-and security-orientated training and events at NOVA that were provided in 2021-2022-2023.

- *New Student/Employee Orientation (A, B, R)*
- *On-line Safety Training Videos (OA, PP)*
- *Crimes Against Women (A, B, PP, R)*
- *Campus Safety (A, B, PP, R)*
- *Staying Safe on the Street (A, B, PP, R)*
- *Sexual Assault Awareness Training (OA)*
- *Faculty Staff Welcome Back (A, R)*
- *Active Shooter Response Training (A, R)*
- *Clery Act Awareness Training (A, B, OA)*
- *Domestic Violence (A, B, OA, PP, R)*
- *Victims' Rights (A, B, OA, PP, R)*
- *Substance Abuse (A, OA, PP)*
- *Drug, Alcohol Awareness (A, B, PP)*
- *Sex Trafficking (A, B, OA, PP, R)*
- *Alcohol Awareness Day (A, OA)*
- *Sexual Harassment (A, B, OA, PP, R)*
- *All Hazards Training (A, OA, PP, R)*
- *Warden Training (A, B, OA, PP, R)*
- *Safety Seminar (A, B, OA, PP, R)*
- *DEA Drug Take Back (A, OA, PP)*
- *Conduct Code (A, OA)*
- *Perils of College Drinking Culture (A, OA)*
- *Drunk Driving Awareness Demonstration (A, OA)*
- *College Success Skills (A, OA, PP, R)*
- *Identity Theft Prevention (A, OA)*
- *Child Safety Seat Inspection (A, OA)*
- *Vehicle VIN Etching (A, PP, R)*
- *Drug/Substance Abuse Training (A, OA)*
- *Dealing with Difficult People (B, R)*
- *Evacuation Training (A, OA, PP)*
- *Dealing with Mental Health Issues*
- *Self-Defense Considerations*
- *Emergency Alert Technologies (A, OA, R)*
- *AIDS Awareness Day (A, OA, PP, R)*
- *On-Line CSA Clery Training (A, B, OA, PP)*
- *Bystander Intervention (A, B, OA, PP, R)*
- *Texting and Driving (A, OA, R)*
- *National Night Out (A)*
- *Staying Safe in the Classroom (A, OA, PP, R)*
- *Sexual Violence Awareness & Prevention: A Title IX Training for Students (A, OA, PP, R)*
- *Alcohol and Drug Awareness Program (A, OA, PP, R)*
- *Staying Safe in the Classroom (A,OA,R)*
- *Staying Safe Using Uber and Lyft (A, OA, R)*
- *Human Trafficking (A, OA, PP, R)*
- *Everything You Ever Wanted to Know About the Police (but were afraid to ask) (A)*
- *Vector Solutions- CCIP*
- *Safe Passage Home (A, OA, PP, R)*
- *NEW2NOVA Presentations (A, B)*
- *Required NOVA Title IX Training (A, B, OA, PP, R)*
- *MVP HR Policy & Law – Civility in the Workplace (A, OA, PP)*
- *Virginia State Employee Safety and Disaster Awareness Training (A, OA)*
- *DCJS – Civilian Response to Active Shooter Events (CRASE) (A)*
- *NOVA – HR Policy: Alcohol & Other Drug Policy 2020 (A, OA, PP, R)*

(Key Below)

VAWA requires institutions to provide definitions of their awareness programs, bystander intervention, ongoing prevention, primary prevention programs, and risk reduction programs. The above trainings have been categorized according to the letter designations below. All of the trainings listed above encompass NOVA's initiative to promote awareness of specific hazards and reduce risk as well as provide available prevention techniques in reducing and preventing crimes.

- (A) Awareness Programs: Community-wide or audience-specific programming, initiatives, and strategies that increase audience knowledge and share information and resources to prevent violence, promote safety, and reduce perpetration
- (B) Bystander Intervention: Safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking
- (OA) Ongoing Awareness Campaigns: Programming, initiatives, and strategies that are sustained over time and focus on increasing understanding of topics relevant to and skills for addressing dating violence, domestic violence, sexual assault, and stalking, using a range of strategies with audiences throughout the institution
- (PP) Primary Prevention Programs: Programming, initiatives and strategies informed by research or assessed for value, effectiveness, or outcome that are intended to stop dating violence, domestic violence, sexual assault, and stalking before they occur through the promotion of positive and healthy behaviors that foster healthy, mutually respectful relationships and sexuality, encourage safe bystander intervention, and seek to change behavior and social norms in healthy and safe directions
- (R) Risk Reduction: Options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence

Reporting a Crime

Anyone may report a crime, suspicious activity, concerning behavior or an emergency, 24 hours a day, seven days a week.

- ✓ **To report a crime, suspicious activity, or concerning behavior call police dispatch at *703.764.5000*.**
- ✓ **For immediate police assistance, dial 911.**

A NOVA police officer, security officer, and/or outside police officer are available to respond.

All NOVA students, staff, faculty, bystanders, and guests who witness or are victims of a crime or who are involved in an emergency are encouraged to call police dispatch or 911 for assistance. If you call 911, dispatchers at the local dispatch center will notify the college's police dispatch immediately and police will respond as soon as possible.

Students, staff, faculty, bystanders, and guests who witness or are victims of a crime on a NOVA campus, its adjacent public areas, and property under NOVA control are also encouraged to make a formal Clery report. This may be done in person to any NOVA officer, at any campus police office, by calling Dispatch, or by using NOVA form 105-174: https://www.nvcc.edu/forms/pdf/105-174.pdf. Many of these crime reports will be included in the College's Annual Security Report.

Confidential crime reports can be submitted by victims, perpetrators, witnesses, and third parties by filling out the NOVA form 105-174. All related crimes which are Clery reportable incidents or crimes are included within the Annual Security Report.

NOVA expressly prohibits retaliation by the institution, or any or its officers, employees or agents against any individual exercising his or her Clery rights or responsibilities.

LiveSafe

In our continuing commitment to the highest level of campus safety, NOVA makes available at no charge a mobile safety app called LiveSafe. The LiveSafe App improves communication between students, faculty, staff, bystanders and NOVA Police, and can facilitate emergency response in critical situations. Our goal is to work with you to help build a safer campus.

The LiveSafe app allows you to:

- Report tips to or request emergency services anonymously from NOVA Police.
- Send your location to NOVA Police.
- Let friends or family, approved by you, monitor your movements, so you never have to walk alone.
- Share your concerns and suggestions with NOVA Police.
- Have critical safety information at your fingertips.

Getting the app is fast, easy and FREE!

- Visit the iTunes or Google Play store and download the LiveSafe app (blue shield icon).
- Choose NOVA from the list of schools.

- Fill in your name and contact info, so Dispatch can reach you in the event of an emergency.
    - https://www.nvcc.edu/police/livesafe.html

Panic Dialers

The telephones in campus classrooms, offices, and other selected locations are equipped with "panic dialers." By activating the panic dialer, a message that assistance is needed at that telephone's location is automatically sent to the College Police. Activation of the panic dialer from on-campus telephones will generate an immediate police response, even if the activation was accidental. In an emergency, dial 9-1-1 and do not use the panic dialer.

Call Boxes

NOVA has some emergency call boxes located on campus; however due to technology changes these boxes are being phased out as they become broken or inoperable. All students, staff, and faculty are encouraged to download LiveSafe on their mobile phone so they may have instant access to the NOVA Police. A blue light marks campus emergency call boxes still in operation. Remember to push the red button to talk directly to police personnel (dispatch) and release it to listen. Call Boxes are for *Emergency Use Only* and should not be activated to request room openings or for nonemergency issues.

Public Safety Newsletters

Public Safety Newsletters are produced by the NOVA Police Department and the Office of Emergency Management and Safety and distributed electronically to NOVA students, faculty, and staff. The newsletters inform the NOVA community about specific initiatives and provide useful information to maintain a safe and secure learning environment. The newsletters also announce available training offered by the Police Department and Office of Emergency Management and Safety. Articles address topics such as: Work Place Safety, Clery Act requirements and reporting procedures, Crime Prevention, NOVA Alert, Suspicious Packages, Active Shooter Response, Sexual Assault, Campus Safety Resources Alcohol Abuse, and Community Activities, and more. Previously published newsletters can be found at: https://www.nvcc.edu/police/psnewsletters.html

Crime Alerts

Alerts to the College community about a crime that is occurring or has occurred and which poses a significant threat to safety are also posted on the College website. The most recent alerts are available at: https://www.nvcc.edu/police/crime-alerts.html

Reporting a Concern

At NOVA, you can report concerns via the internet. The below sites allow you to share important information regarding incidents happening in the NOVA Community. The following link: https://www.nvcc.edu/wellness/report.html will bring you to the Office of Wellness and Mental Health's website where you can submit the following associated report.

Report an Academic Integrity Violation

This report will be forwarded to the Academic Dean, Associate Dean and Instructor of the affected class. Use this form to report an academic integrity violation in a course, including online courses, on a placement test, or SDV ABLE exam. Academic violations include cheating, plagiarism and facilitating academic dishonesty.

General classroom misbehavior is considered a violation of the Student Code of Conduct. If you have questions about whether a behavior is considered a violation, please see the Code of Student Conduct. Academic Integrity Violation link:
https://cm.maxient.com/reportingform.php?NorthernVirginiaCC&layout_id=5

Report a Student Conduct Violation (Non-Academic Integrity)

This report will be forwarded to the Office of Student Rights and Responsibilities.

Student Code of Conduct violations include such behavior as stealing, disruptive behavior, use of alcohol or drugs on campus, infliction or threat of bodily harm, etc. If you have questions about whether a behavior is considered a violation, please see the Code of Student Conduct further within this document.

Student Conduct Violation link:
https://cm.maxient.com/reportingform.php?NorthernVirginiaCC&layout_id=50

Report Sexual Misconduct (Title IX)

This report will be forwarded to the Title IX Office.

Sexual Misconduct includes discrimination based on sex, gender identity or gender expression, and sexual orientation; sexual harassment, and sexual violence including dating/domestic violence, stalking, sexual exploitation, and sexual assault.

If you have questions about whether a behavior is considered a violation, please review NOVA's Sexual Misconduct Policy and/or contact the Title IX Office at tittleix@nvcc.edu or 703-323-2262.

Sexual Misconduct link:
https://cm.maxient.com/reportingform.php?NorthernVirginiaCC&layout_id=30

Report a Student Needing Assistance (Non-Conduct)

This report will be forwarded to the Office of Wellness and Mental Health.

Use this form to make a self-report or to report a student who is struggling with academic, personal, emotional difficulties, or who may be exhibiting behaviors that cause concern for their well-being and/or the well-being of others.

Examples include significant changes in attitude or personality, unusual or bizarre behavior, deteriorating physical appearance.

Student Needing Assistance link:
https://cm.maxient.com/reportingform.php?NorthernVirginiaCC&layout_id=10

Title IX Pregnant and Parenting Accommodations Request

Title IX prohibits discrimination on the basis of sex—including pregnancy and related conditions—in educational programs and activities that are eligible for federal funding. This means that the College must give all students who might be, are, have been pregnant, and their partners the same access to school programs and educational opportunities that other students have. Thus, the College is obligated to provide the following academic adjustments, accommodations, and support:

Absences due to medical syptoms of pregnancy or any related medical conditions must be excused for as long as the student's medical providers say it is necessary for them to be absent. When the student returns to school, they must be reinstated to the status they held before their leave.
Faculty who base grades on class attendance cannot penalize a pregnant or parenting student for their absence and must allow the student to earn back the credit from the classes missed.

Students may be provided with a larger workspace, access to a designated lactation room, or allowed frequent trips to the restroom.
Students who are pregnant or dealing with any pregnancy-related conditions must be permitted to continue their off-campus work, including internships and career rotations. The College cannot require a doctor to approve the continuation of these activities unless a note is required of all students with a medical condition.
These rules supersede any department or instructor-based policies regarding allowable numbers of absences or ability to make up missed work.

Any student, faculty member or dean who needs information or assistance with arranging academic adjustments or other support should contact the Title IX Coordinator at titleix@nvcc.edu or 703.323.2262.

Pregnant and Parenting Accommodation Request link:
https://cm.maxient.com/reportingform.php?NorthernVirginiaCC&layout_id=31

Ombuds Assistance Request

Confidential Student Ombuds Services (SOS). To file a request for Ombuds Services send an email to OMBUDS@nvcc.edu (it must be filled out by the student requesting the service).

Ombuds Mission Statement
The mission of Student Ombuds Services at Northern Virginia Community College is to provide confidential, independent, impartial, and informal conflict and dispute resolution services for students in a community that values respectful dialogue, fair practices, and mutual understanding. Student Ombuds Services informs College leaders, through annual reporting, about general trends that warrant review or further consideration of policies and procedures for the benefit of the College community.

What is an Ombudsperson?
An Ombudsperson or Ombuds, from the term Ombudsman, is a confidential*, impartial, independent, and informal resource within the College, designated to assist the student body in managing and resolving conflicts and other types of organizational concerns. *Conversations are confidential unless there appears to be imminent risk of harm or danger to the student and/or another person.

Role of the Student Ombudsperson
The Student Ombuds Services at NOVA provides all students with a safe place to bring questions and concerns about the College's policies and/or procedures.

The Student Ombuds Services assist students by considering all sides of an issue in an impartial and objective way and advises the student on how to best resolve the problems.

Ombuds Assistance Request link:
https://www.nvcc.edu/student-rights/student-ombuds-services/index.html

Office of Employee Ombuds

The Office of the Ombuds provides a safe and confidential place where all Northern Virginia Community College employees – staff, faculty, administrators, temporary employees, and student employees – can voluntarily seek free informal guidance to proactively address workplace conflicts or concerns.

The Office of the Ombuds is an independent, confidential, impartial, and informal resource that employees may access without fear of retaliation or loss of privacy.

The Office of the Ombuds assists employees by providing information and insight to collaboratively develop options that address concerns or challenges in a productive and positive manner.
https://www.nvcc.edu/student-rights/student-ombuds-services/index_dev.html

College Police

The NOVA Police Department is a full-service police agency. All NOVA police officers are fully trained, certified by the Commonwealth's Department of Criminal Justice Services, and sworn. They receive initial and on-going training at the Northern Virginia Criminal Justice Training Academy in all aspects of law enforcement. Their jurisdiction covers all property owned and controlled by NOVA, including its streets, sidewalks and highways immediately adjacent to each campus. All police officers are sworn to preserve the public peace, protect life and property, and enforce and uphold the laws of the Commonwealth of Virginia. They have authority to carry firearms, conduct criminal investigations, and make arrests.

NOVA's police officers routinely patrol the campus on foot, by vehicle, and on bicycle. NOVA patrol officers respond to all police, fire and medical emergency calls. Our police investigate criminal matters on campus, and work closely with local, state, and federal authorities as appropriate to ensure safety. To facilitate a close working relationship with federal, state and local jurisdictions, the NOVA Police Department trains and conducts exercises on the campuses and centers with officers from other jurisdictions to ensure personnel are acquainted and familiarized with various NOVA locations and operations. Additionally, NOVA Police certified instructors have provided firearms, communications, driving, bicycle, control tactics, and active shooter response training and support to local police academies and other agencies.

NOVA Police monitor and document criminal activity with assistance of local police agencies where NOVA has non-campus College activities. The NOVA Police Department works regularly with these agencies as well as others when situations merit:

-Virginia State Police
-Alexandria City Police Department
-United States Secret Service
-U.S. Department Of Education
-Arlington County Police Department
-U.S. Park Police
-Fairfax County Police Department
-Loudoun County Sheriff Department
-Federal Bureau of Investigations
-U.S. Department Of Homeland Security
-Prince William County Police Department

From 11 p.m. until 7 a.m., NOVA campuses are closed but patrolled by Virginia certified campus security officers, who are either NOVA employees or outsourced security. In addition to having state certification, these officers are trained to respond to the needs and requirements of the NOVA College environment and work under the supervision of the NOVA Police Department. These officers report regularly to NOVA's dispatch center during their patrols and relay all incidents and submit daily reports to campus police supervisors. As of July 17, 2020 NOVA no longer out-sourced security at Pitney Bowes (Brault Annex), Fairfax, or Trailside (Battleview). All NOVA security officers follow detailed post orders describing their position objectives and responsibilities. They receive regular training to maintain their proficiency and certification.

The NOVA Police Department has a signed Mutual Aid Agreement (MAA) with the Virginia Department of State Police as required by *Virginia Code* § 23-*234* in the investigation of any felony sexual assault, medically unattended death, or any death resulting from an incident occurring at facilities or upon lands owned or operated by Northern Virginia Community College or in the response, investigation of, or prevention of any other crimes. A copy of the MAA can be reviewed at the following link https://www.nvcc.edu/police/clery/_files/VSPNOVAPDMOU.pdf.

The NOVA Police Department has signed Mutual Aid Agreements (MAA) with Alexandria City Police Department, Arlington County Police Department, Fairfax County Police Department, Loudoun County Sheriff's Office, and the Prince William County Police Department as required by *Virginia Code* § 23-*9.2:15,23-9.2:16, 23-9.2:17* which requires that colleges establish Mutual Aid Agreements by July 1, 2015 to define and establish procedures and practices for cooperation between the above listed law enforcement agencies and Northern Virginia Community College as provided for by § 23-*234* of the *Code of Virginia*, in the investigation of any felony sexual assault, medically unattended death or any death resulting from an incident occurring on property owned or controlled by the Northern Virginia Community College or on public property within the campus or immediately adjacent to and accessible from the campus.

Campus Security Authorities (CSA)

At NOVA, crimes may also be reported to a Campus Security Authority (CSA). The Clery Act generally defines a CSA as any campus personnel who has significant responsibility for student and campus activities. Therefore, crime occurrences can be reported to employees, known as Campus Security Authorities (CSAs), who have a legal obligation to file a report of suspected criminal and Clery reportable activity with the NOVA Police Department to ensure statistical inclusion of all crimes as specified by the Clery Act in the College Annual Security Report. These crimes can also be reported anonymously using the Campus Security Authority Jeanne Clery Act Statistics Incident Report (Form 105-174) which can be found at the following link: https://www.nvcc.edu/forms/pdf/105-174.pdf.

Reportable crimes are those crimes that occur on or near college property, including on-campus property, property immediately adjacent to the campus, and off-campus (Non-Campus) property owned or controlled by the College.

CSA's include:

- Campus police department or campus security department personnel, including contracted security
- Any individual/individuals who have responsibility for campus security but who do not constitute a campus police or campus security department, such as individuals responsible for monitoring entrances onto institutional property
- Any individual/organization specified in an institution's statement of campus security policy as an individual or organization to which students and employees should report criminal offenses
- An official of an institution who has significant responsibility for student and campus activities

All NOVA faculty and staff are identified as CSA's per the NOVA Clery Policy. Pastoral and Professional Counselors are encouraged to still report incidents of crimes using the NOVA Clery report form 105-174. Pastoral and Professional Counselors are exempt from being CSA's. Pastoral counselor is defined as a person, who is associated with a religious order or denomination, is recognized by that religious order or denomination as someone who provides confidential counseling, and is functioning within the scope of that recognition as a pastoral counselor. Note: NOVA has no pastoral or professional counselors.

- Professional counselor: A person whose official responsibilities include providing mental health counseling to members of the college community and who is functioning within the scope of his or her license or certification. This definition applies even to professional counselors who are not employees of the institution, but are under contract to provide counseling at the institution.
- AT NOVA, academic counselors are not considered professional counselors as defined by Clery and therefore they are CSA's.

NOVA Clery Crime Statistics

This report's statistics were reported from January 1, 2022 until December 31, 2022. These statistics were collected from College Police records, Campus Security Authorities (CSA) representatives, selected College offices, including Human Resources, as well as local, state, federal, and foreign jurisdictional law enforcement agencies. They represent occurrences/incidents which occurred on Campus and College grounds, public sidewalks and roadways adjacent to the campus property, and non-campus locations under NOVA's control during 2021 and include all crime statistics reported to any CSA.

The Department of Education requires that NOVA publish an Annual Security Report (ASR). In the ASR the Department of Education requires the following be used to classify and record Clery reportable crimes.

- The Federal Bureau of Investigation (FBI), Uniform Crime Reporting (UCR) Handbook is used for all definitions of offenses, except for below.
- Beginning in 2013 Dating Violence, Domestic Violence, and Stalking the meaning given such terms in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)).
- Clery Act reporting DOES NOT require disclosure of all other sexual related offenses, e.g. sexual harassment, voyeurism and incident exposure.
- Offenses are counted on the basis of calls for service, complaints and investigations.
- Findings of courts, coroners, jury, prosecutorial decisions and student judicial boards are NOT a basis for counting Clery Act crimes.
- The Clery Act does not require initiating an investigation or disclosing identifying information about the victim for the statistics included within this ASR.

The reported crimes are cataloged using the Hierarchy Rule which governs when the offender/perpetrator commits multiple offenses in the same incident. When this occurs, the hierarchy rule is used when counting multiple offenses. The hierarchy rule requires the most serious offense be counted when more than one offense was committed during a single incident. A single incident means the offenses must be committed at the same time and place; and that the time interval and distance between the offenses were insignificant. Not all crimes committed in the same incident are counted with the statistics; only the most serious per the hierarchy rule. The hierarchy rule does not apply to incidents of Arson, Hate Crimes, Domestic Violence, Dating Violence, Stalking, or Weapons, Drug, and Alcohol Violations. In addition, Violence Against Women Reauthorization Act of 2013 (VAWA) also made an exception to the hierarchy rule when a sexual assault and murder occur in the same incident. Both crimes will be statistically recorded for that year's ASR.

The VAWA Act created some significant changes to the Clery Act statistical crime reporting requirements. Such changes included adding and tracking crimes related to Domestic Violence, Dating Violence, and Stalking which were not previously reported. As well, there were additional Hate Crimes classifications for National Origin Bias and Gender Identity Bias. Additionally, VAWA required changes to the tracking and cataloging of Sexual Assault Crimes. Previously under Clery, Forcible Sex Offenses (included Rape, Forcible Sodomy, Sexual Assault with an Object and Forcible Fondling) were based upon the National Incident-Based Reporting System (NIBRS) definitions. This requirement has been changed

to use the Federal Bureau of Investigations (FBI) Uniform Crime Report (UCR) definition of Rape which within its definition includes the crimes of Sodomy and Sexual Assault with an Object. Therefore, the Forcible Sexual Offenses category has been changed to Rape or Fondling and the Non-Forcible Sexual Offenses have been changed to Incest and Statutory Rape with each of the statistics being individually reported.

More information and specific definitions for each Clery crime can be found at the following web address: https://www.nvcc.edu/police/clery/crimes/index.html

NOVA Clery Geography

The Department of Education requires criminal statistical data to be included within the Annual Security Report from four distinct Clery geographic locations (On-Campus, Non-Campus, Public Property, and Residential Housing). NOVA normally has to comply with three reportable statistical locations since the institution does not have On-Campus dorms or On-Campus student housing. The Annual Security Report for 2023, which will include statistics for the 2020, 2021, and 2022 calendar years, will include the Clery geographic locations as described below. NOVA's specific Clery geography can be found at the following link: https://www.nvcc.edu/police/clery/geography.html.

- On-Campus: The Department of Education provides two separate three-prong tests to determine if locations should be considered On-Campus.
    - The institution owns or controls them;
    - They are reasonably contiguous to one another (or within one mile) and
    - They directly support or relate to the institution's educational purposes and
        - The institutions owns but does not control them;
        - They are frequently used by students; and
        - They are used to support the institution's educational purposes
            - Examples of On-campus Property include our campuses like Loudoun Campus and the Annandale Campus as well as NOVA's Centers like Signal Hill and the Reston Center.
- Public Property: public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.
    - For example the sidewalk as you step off campus property across the street, median, street, and onto the sidewalk on the other side of the street is included within public property statistics.
- The Department of Education uses two definitions for Non-Campus Clery Geography
- Non-Campus: Any building or property owned or controlled by a student organization that is officially recognized by the institution; or any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students and is not within the same reasonably contiguous geographic area of the institution.
- Non-Campus: The second definition includes the following:

- Is owned or controlled by the institution;
- Supports or is used for the institution's educational purposes;
- Is frequently used by students; and
- Is not considered part of the core campus
    - Examples of Non-Campus Properties include activities associated with: Global Studies, student athletics, student clubs, and off-campus physical education classes.

Campus / Center Maps & Directions

Maps and directions associated with NOVA's locations can be found at: https://www.nvcc.edu/about/maps.html.

Alexandria Campus Crime Statistics

5000 Dawes Avenue, Alexandria, VA. 22311
https://www.nvcc.edu/alexandria/index.html

Incident Reported	2022	2022	2022	2022	2021	2021	2021	2021	2020	2020	2020	2020
	On-Campus	Non-Campus	Public Property	Un-founded	On-Campus	Non-Campus	Public Property	Un-founded	On-Campus	Non-Campus	Public Property	Un-founded
Murder	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	1	0	0	0	0	0	2	0
Aggravated Assault	1	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	2	0	0	0
Motor Vehicle Theft	0	0	1	0	0	0	0	0	0	0	2	1
Arson	1	0	0	0	0	0	0	0	0	0	0	0
Hate Crimes or Incidents***	2	0	0	0	0	0	0	0	1	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	4	0	0	0	1	0	0	0
Alcohol Arrest	0	0	0	0	0	0	0	0	0	0	0	0
Drug Arrest	0	0	0	0	0	0	0	0	0	0	0	0
Weapon Arrest	1	0	0	0	0	0	0	0	1	0	0	0
Alcohol Referral	0	0	0	0	0	0	0	0	1	0	0	0
Drug Referral	0	0	0	0	2	0	0	0	0	0	0	0
Weapon Referral	0	0	0	0	0	0	0	0	0	0	0	0

*The individual crimes information for 2022 incorporated into the above statistics are listed below.

Northern Virginia Community College Police Department:

Case# Location	Date	Description	Clery Geography
2022-000181	10-5-22	Arson	On-Campus
2022-000126	8-15-22	Aggravated Assault	On-Campus
2022-000126	8-15-22	Weapons Arrest	On-Campus
2022-000068	4-19-22	Hate Crime (Intimidation) (Race)	On-Campus
2203290025	3-29-22	Hate Crime (Intimidation) (Sexual Orientation)	On-Campus

Alexandria City Police Department:

Case# Location	Date	Description	Clery Geography
5200 Blk. Fillmore	11-18-22	Auto Theft	Public Property

Annandale Campus Crime Statistics

8333 Little River Turnpike, Annandale, VA. 22003
https://www.nvcc.edu/annandale/index.html

Incident Reported	2022	2022	2022	2022	2021	2021	2021	2021	2020	2020	2020	2020
	On-Campus	Non-Campus	Public Property	Un-founded	On-Campus	Non-Campus	Public Property	Un-founded	On-Campus	Non-Campus	Public Property	Un-founded
Murder	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	1	0	0	0	0	0	0	0	0
Aggravated Assault	1	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	1	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0
Hate Crimes or Incidents***	3	0	0	0	0	0	0	0	1	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	1	0	0	0
Dating Violence	3	0	0	0	0	0	0	0	1	0	0	0
Stalking	4	0	0	0	1	0	0	0	5	0	0	0
Alcohol Arrest	0	0	0	0	0	0	0	0	0	0	0	0
Drug Arrest	0	0	0	0	0	0	0	0	0	0	1	0
Weapon Arrest	0	0	0	0	0	0	0	0	0	0	0	0
Alcohol Referral	0	0	0	0	2	0	0	0	0	0	0	0
Drug Referral	0	0	0	0	1	0	0	0	0	0	0	0
Weapon Referral	0	0	0	0	0	0	0	0	0	0	0	0

*The individual crimes information for 2022 incorporated into the above statistics are listed below.

NOVA Title IX:

Case# Location	Date	Description	Clery Geography
2021134301	4-6-22	Stalking Dating Violence	On-Campus
2021126701	4-26-22	Stalking	On-Campus
2021132001	4-28-22	Stalking	On-Campus

NOVA College Police Department:

Case# Location	Date	Description	Clery Geography
2022-000252	12-12-22	Hate Crime (Intimidation) (National Origin)	On-Campus
2022-000227	11-7-22	Stalking	On-Campus
2022-000095	6-16-22	Hate Crime (Intimidation) (Racial)	On-Campus
2204120026	4-12-22	Robbery (Unfounded)	On-Campus
2022-000059	4-11-22	Aggravated Assault	On-Campus
2022-000059	4-11-22	Dating Violence	On-Campus
2022-000051	3-29-22	Hate Crime (Intimidation) (Race)	On-Campus
2022-000038	3-15-22	Dating Violence	On-Campus

Loudoun Campus Crime Statistics

46683 Campus Drive, Sterling, VA. 20164
https://www.nvcc.edu/loudoun/index.html

Incident Reported	2022	2022	2022	2022	2021	2021	2021	2021	2020	2020	2020	2020
	On-Campus	Non-Campus	Public Property	Un-founded	On-Campus	Non-Campus	Public Property	Un-founded	On-Campus	Non-Campus	Public Property	Un-founded
Murder	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0
Hate Crimes or Incidents***	0	0	0	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0	0	1	0
Dating Violence	0	0	0	0	0	0	0	0	1	0	0	0
Stalking	1	0	0	0	4	0	0	0	1	0	0	0
Alcohol Arrest	0	0	0	0	2	0	0	0	0	0	0	0
Drug Arrest	0	0	0	0	0	0	0	0	0	0	2	0
Weapon Arrest	0	0	0	0	0	0	0	0	0	0	0	0
Alcohol Referral	0	0	0	0	0	0	0	0	0	0	0	0
Drug Referral	0	0	0	0	0	0	0	0	0	0	0	0
Weapon Referral	0	0	0	0	0	0	0	0	0	0	0	0

*The individual crimes information for 2022 incorporated into the above statistics are listed below.

NOVA Title IX Office:

Case# Location	Date	Description	Clery Geography
Title IX	4-8-22	Stalking	On-Campus

Manassas Campus Crime Statistics

6901 Sudley Rd., Manassas, VA. 20109
https://www.nvcc.edu/manassas/index.html

Incident Reported	2022	2022	2022	2022	2021	2021	2021	2021	2020	2020	2020	2020
	On-Campus	Non-Campus	Public Property	Un-founded	On-Campus	Non-Campus	Public Property	Un-founded	On-Campus	Non-Campus	Public Property	Un-founded
Murder	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0
Hate Crimes or Incidents***	0	0	0	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0	0	0	0
Stalking	1	0	0	0	1	0	0	0	0	0	0	0
Alcohol Arrest	0	0	0	0	0	0	0	0	0	0	0	0
Drug Arrest	0	0	0	0	0	0	0	0	0	0	2	0
Weapon Arrest	0	0	0	0	0	0	0	0	0	0	0	0
Alcohol Referral	0	0	0	0	0	0	0	0	0	0	0	0
Drug Referral	0	0	0	0	0	0	0	0	0	0	0	0
Weapon Referral	0	0	0	0	0	0	0	0	0	0	0	0

*The individual crimes information for 2022 incorporated into the above statistics are listed below.

Northern Virginia Community College Police Department:

Case# Location	Date	Description	Clery Geography
2022-000023	2-17-22	Stalking	On-Campus

Medical Campus Crime Statistics

6699 Springfield Center Drive, Springfield, VA. 22150
https://www.nvcc.edu/medical/index.html

Incident Reported	2022	2022	2022	2022	2021	2021	2021	2021	2020	2020	2020	2020
	On-Campus	Non-Campus	Public Property	Un-Founded	On-Campus	Non-Campus	Public Property	Un-Founded	On-Campus	Non-Campus	Public Property	Un-Founded
Murder	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0
Hate Crimes or Incidents***	0	0	0	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0	0	0	0
Stalking	1	0	0	0	0	0	0	0	0	0	0	0
Alcohol Arrest	0	0	0	0	0	0	0	0	0	0	0	0
Drug Arrest	0	0	0	0	0	0	0	0	0	0	0	0
Weapon Arrest	0	0	0	0	0	0	0	0	0	0	0	0
Alcohol Referral	0	0	0	0	0	0	0	0	0	0	0	0
Drug Referral	0	0	0	0	0	0	0	0	0	0	0	0
Weapon Referral	0	0	0	0	0	0	0	0	0	0	0	0

*The individual crimes information for 2022 incorporated into the above statistics are listed below.

Northern Virginia Community College Police Department:

Case# Location	Date	Description	Clery Geography
2022-000136	8-18-22	Stalking	On-Campus

Woodbridge Campus Crime Statistics

2645 College Drive, Woodbridge, VA. 22191
https://www.nvcc.edu/woodbridge/index.html

Incident Reported	2022	2022	2022	2022	2021	2021	2021	2021	2020	2020	2020	2020
	On-Campus	Non-Campus	Public Property	Un-founded	On-Campus	Non-Campus	Public Property	Un-founded	On-Campus	Non-Campus	Public Property	Un-founded
Murder	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0
Hate Crimes or Incidents***	0	0	0	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0	0	0	0
Stalking	2	0	0	0	0	0	0	0	2	0	0	0
Alcohol Arrest	0	0	0	0	0	0	0	0	0	0	0	0
Drug Arrest	0	0	0	0	0	0	0	0	1	0	0	0
Weapon Arrest	0	0	0	0	0	0	0	0	0	0	0	0
Alcohol Referral	0	0	0	0	0	0	0	0	0	0	0	0
Drug Referral	0	0	0	0	0	0	0	0	2	0	0	0
Weapon Referral	0	0	0	0	0	0	0	0	0	0	0	0

*The individual crimes information for 2022 incorporated into the above statistics are listed below.

Northern Virginia Community College Police Department:

Case# Location	Date	Description	Clery Geography
2022-000226	11-7-22	Stalking	On-Campus
2022-000069	4-21-22	Stalking	On-Campus

7630 Little River Turnpike (Brault Annex / Pitney Bowes Building) Crime Statistics

7630 Little River Turnpike, Annandale, VA. 22003

***Note the Brault Annex closed in September of 2022.

Incident Reported	2022	2022	2022	2022	2021	2021	2021	2021	2020	2020	2020	2020
	On-Campus	Non-Campus	Public Property	Un-founded	On-Campus	Non-Campus	Public Property	Un-founded	On-Campus	Non-Campus	Public Property	Un-founded
Murder	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Rape	0	2	0	0	0	0	0	0	0	0	0	0
Fondling	0	1	0	0	0	1	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	1	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	1	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0
Hate Crimes or Incidents***	0	1	0	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0	0	0	0
Stalking	0	1	0	0	0	0	0	0	0	0	0	0
Alcohol Arrest	0	0	0	0	0	0	0	0	0	0	0	0
Drug Arrest	0	3	0	0	0	4	0	0	0	0	0	0
Weapon Arrest	0	0	0	0	0	0	0	0	0	0	0	0
Alcohol Referral	0	6	0	0	0	6	0	0	0	0	0	0
Drug Referral	0	8	0	0	0	2	0	0	0	0	0	0
Weapon Referral	0	0	0	0	0	0	0	0	0	0	0	0

*The individual crimes information for 2022 incorporated into the above statistics are listed below.

*** The Brault Annex closed in September of 2022.

Snow Police Department:

Case# Location	Date	Description	Clery Geography
Parking Lot CCI Program	1-31-2022	Drug Arrest	Non-Campus

Northhampton Police Department:

Case# Location	Date	Description	Clery Geography
CCI Northhampton	2-5-22	Drug Referral (2)	Non-Campus
CCI Northhampton	2-10-22	Drug Referral (4)	Non-Campus
CCI Northhampton	2-20-22	Drug Referral	Non-Campus
CCI Northhampton	5-11-22	Drug Referral	Non-Campus
CCI Northhampton	2-10-22	Liquor Law Referral	Non-Campus
CCI Northhampton	4-28-22	Liquor Law Referral (4)	Non-Campus
CCI Northhampton	5-2-22	Liquor Law Referral	Non-Campus
CCI Northhampton	2-10-22	Drug Arrest (2)	Non-Campus
CCI Northhampton	4-18-22	Rape	Non-Campus
CCI Northhampton	2-27-22	Fondling	Non-Campus
CCI Northhampton	2-27-22	Stalking	Non-Campus
CCI Northhampton CCIP Program	4-18-22	Hate Crime (Rape) (Sexual Orientation Bias)	Non-Campus

Quantico Marine Corps Base Crime Statistics

Lifelong Learning Education Center, 3088 Roan Street, Quantico, VA. 22134
http://www.nvcc.edu/military/contact.html

Incident Reported	2022	2022	2022	2022	2021	2021	2021	2021	2020	2020	2020	2020
	On-Campus	Non-Campus	Public Property	Un-founded	On-Campus	Non-Campus	Public Property	Un-founded	On-Campus	Non-Campus	Public Property	Un-founded
Murder	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0
Hate Crimes or Incidents***	0	0	0	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0	0	0	0
Alcohol Arrest	0	0	0	0	0	0	0	0	0	0	0	0
Drug Arrest	0	0	0	0	0	0	0	0	0	0	0	0
Weapon Arrest	0	0	0	0	0	0	0	0	0	0	0	0
Alcohol Referral	0	0	0	0	0	0	0	0	0	0	0	0
Drug Referral	0	0	0	0	0	0	0	0	0	0	0	0
Weapon Referral	0	0	0	0	0	0	0	0	0	0	0	0

* There were no reportable crimes for Quantico for 2022.

Joint Base Myers-Henderson Hall Crime Statistics

239 Sheridan Avenue, Building 417, Fort Myer, VA. 22211
1555 Southgate Rd., Building 29, Arlington, VA. 22214
http://www.nvcc.edu/military/contact.html

Incident Reported	2022	2022	2022	2022	2021	2021	2021	2021	2020	2020	2020	2020
	On-Campus	Non-Campus	Public Property	Un-founded	On-Campus	Non-Campus	Public Property	Un-founded	On-Campus	Non-Campus	Public Property	Un-founded
Murder	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0
Hate Crimes or Incidents***	0	0	0	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0	0	0	0
Alcohol Arrest	0	0	0	0	0	0	0	0	0	0	0	0
Drug Arrest	0	0	0	0	0	0	0	0	0	0	0	0
Weapon Arrest	0	0	0	0	0	0	0	0	0	0	0	0
Alcohol Referral	0	0	0	0	0	0	0	0	0	0	0	0
Drug Referral	0	0	0	0	0	0	0	0	0	0	0	0
Weapon Referral	0	0	0	0	0	0	0	0	0	0	0	0

*There were no reportable crimes for Joint Base Meyers-Henderson Hall for 2022.

Fort Belvoir Crime Statistics

Darden Education Center, Building 1017 9625 Belvoir Rd., Ft. Belvoir, VA. 22060
http://www.nvcc.edu/military/contact.html

Incident Reported	2022	2022	2022	2022	2021	2021	2021	2021	2020	2020	2020	2020
	On-Campus	Non-Campus	Public Property	Un-founded	On-Campus	Non-Campus	Public Property	Un-founded	On-Campus	Non-Campus	Public Property	Un-founded
Murder	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0
Hate Crimes or Incidents***	0	0	0	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0	0	0	0
Alcohol Arrest	0	0	0	0	0	0	0	0	0	0	0	0
Drug Arrest	0	0	0	0	0	0	0	0	0	0	0	0
Weapon Arrest	0	0	0	0	0	0	0	0	0	0	0	0
Alcohol Referral	0	0	0	0	0	0	0	0	0	0	0	0
Drug Referral	0	0	0	0	0	0	0	0	0	0	0	0
Weapon Referral	0	0	0	0	0	0	0	0	0	0	0	0

*There were no reportable crimes for Fort Belvoir in 2022.

Reston Center Crime Statistics

1821 Michael Faraday Drive, Reston, VA 20190
http://www.nvcc.edu/reston/index.html

Incident Reported	2022	2022	2022	2022	2021	2021	2021	2021	2020	2020	2020	2020
	On-Campus	Non-Campus	Public Property	Un-founded	On-Campus	Non-Campus	Public Property	Un-founded	On-Campus	Non-Campus	Public Property	Un-founded
Murder	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0
Hate Crimes or Incidents***	0	0	0	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0	0	0	0
Alcohol Arrest	0	0	0	0	0	0	0	0	0	0	0	0
Drug Arrest	0	0	0	0	0	0	0	0	0	0	0	0
Weapon Arrest	0	0	0	0	0	0	0	0	0	0	0	0
Alcohol Referral	0	0	0	0	0	0	0	0	0	0	0	0
Drug Referral	0	0	0	0	0	0	0	0	0	0	0	0
Weapon Referral	0	0	0	0	0	0	0	0	0	0	0	0

*There were no reported incidents at the Reston Center for 2022.

NOVA Online/Fairfax Crime Statistics

3922 Pender Drive, Fairfax, VA. 22030
http://www.nvcc.edu/eli/index.html

Incident Reported	2022	2022	2022	2022	2021	2021	2021	2021	2020	2020	2020	2020
	On-Campus	Non-Campus	Public Property	Un-founded	On-Campus	Non-Campus	Public Property	Un-founded	On-Campus	Non-Campus	Public Property	Un-founded
Murder	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0
Hate Crimes or Incidents***	0	0	0	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	3	0	0	0	1	0	0	0
Alcohol Arrest	0	0	0	0	0	0	0	0	0	0	0	0
Drug Arrest	0	0	0	0	0	0	0	0	0	0	0	0
Weapon Arrest	0	0	0	0	0	0	0	0	0	0	0	0
Alcohol Referral	0	0	0	0	0	0	0	0	0	0	0	0
Drug Referral	0	0	0	0	0	0	0	0	0	0	0	0
Weapon Referral	0	0	0	0	0	0	0	0	0	0	0	0

*There were no reported incidents at NOVA Online/Fairfax for 2022.

Policies and Regulations

Emergency Notifications/Timely Warning Notices

NOVA is committed to the safety and well-being of its faculty, staff, students, and guests to the College. In compliance with the Higher Education Act of 1965, as amended, and Section 23-9.2:11 of the Code of Virginia, the College implemented a comprehensive communications system operating around the clock to provide prompt warning notifications and alerts of immediate threats to the health and safety of the campus community. This system employs various methods, including but not limited to: email notices, audible phone message systems, cellular text messages, college website updates, and desktop alerts.

Timely Warning Notices

Timely warnings are provided in the event of a reported crime, either on campus or off, that, in the judgment of the NOVA Chief of Police, or a designee, constitutes an ongoing or continuing serious threat to the College community. The warnings (and updates) are generally written by the Chief of Police or a designee and are typically distributed via email to anyone who has an nvcc.edu email address or via one of the alert notification technologies depending upon the incident specifics. The campus police make every effort on a case by case basis to provide a timely warning to the campus community whenever a situation arises that constitutes an on-going or potential threat and necessitates notification. It is college policy to post these notices on the college website and / or make notifications to faculty, students, and staff via email. The NOVA Alerts text messaging system may be used depending on the nature of the incident as well as scrolls upon the flat panels. The Timely Warning Policy is available at https://www.nvcc.edu/policies/

If, for instance, a reportable crime occurs but the suspect is arrested, there may no longer be an ongoing threat to the College community and a warning may not be disseminated. Timely warnings may also be posted for other crime classifications, as deemed necessary. For a more in-depth explanation on who at NOVA is responsible for confirming an emergency or dangerous situation, determining the appropriate segment to receive notification, determining content of notification, and who initiates the notification systems used in Timely Warnings and Emergency Notifications please review the *Crisis Communications Protocols* which can be found at the following link: https://www.nvcc.edu/emergency/_docs/NOVACrisisCommunicationProtocol.pdf.

Emergency Response and Evacuation

Effective and efficient response and communication are essential components of any emergency plan, as well as testing the emergency response and evacuation procedures. NOVA is committed to testing the procedures at least annually and publicizing its procedures in conjunction with the test.

Members of the NOVA Community are notified on an annual basis, via email, that they are required to notify the Northern Virginia Community College Police Department (NOVA Police) or outside law enforcement agencies (via 911) of any situation or incident that involves a significant emergency or danger that may pose an immediate or on-going threat to the health and safety of students and/or employees on Campus. NOVA Police and/or outside law enforcement agencies respond to such situations to assess the potential threat and summon the necessary resources to mitigate, investigate,

and/or document any situation that may pose a significant emergency or danger. In addition, NOVA Police and outside law enforcement respond to such incidents to determine if the situation does in fact, pose an immediate threat to the community. If an immediate threat does exist Federal Law requires that the institution immediately notify the campus community or the appropriate segments of the community that may be affected.

The Office of Emergency Management and Safety (OEMS) is responsible for coordinating the College *Emergency Action Plan.* The College *Crisis Communication Protocols* is a collaborative effort of the Office of Emergency Management, College Police, and Office of Strategic Partnerships and Workforce Innovation.

Testing Emergency Response and Evacuation Procedures

Emergency evacuation fire drills are required and mandated by the Virginia Statewide Fire Prevention Code, Chapter 4. The 2008 Higher Education Opportunity Act requires testing of the College emergency response and evacuation procedures. NOVA complies with the provisions of the aforementioned Code and Federal Statute.

A fire evacuation drill is conducted annually for all required facilities and quarterly for all assembly buildings. In addition, NOVA participates in the annual Statewide Tornado Drill and Earthquake Drill. NOVA also conducts two Alert Notification Drills annually to test all or a portion of the alert notification systems.

The evacuation drills as described above are designed to prepare building occupants for an organized evacuation in case of an emergency and are used to educate and train occupants on issues specific to their building. During the drill, occupants practice drill procedures and familiarize themselves with the location of exits, assembly locations, and the sound of the fire alarm. In addition to educating the occupants of each building about the evacuation procedures during the drills, the process also provides the College an opportunity to test the operation of fire alarm or related emergency notifications system components.

All drills are monitored by College Police, the Office of Emergency Management and Safety Coordinators, Campus Administration Leaders and Building / Floor Wardens to evaluate egress, behavioral patterns, as well as evacuation efficiency and expedience. Afterwards, a survey is disseminated to request feedback and recommendations for improvement and to assess and evaluate emergency plans and capabilities.

The College *Emergency Action Plan* provides emergency response information to students, faculty and staff for various types of emergency situations. Students receive information about evacuation and shelter-in-place procedures during the first week of classes each semester and throughout the semester. The Office of Emergency Management and Safety provides faculty with several resources to assist them with delivering this information to students: a syllabus insert and PowerPoint presentation, both including information about NOVA Alert, Fire, Tornado, Earthquake, Emergency Communication, and basic emergency preparedness. In addition, faculty are encouraged to show students the College Safety Video, available at: https://www.youtube.com/watch?time_continue=9&v=5spjbSSlLGk. The video

provides valuable information about registering for NOVA Alerts (http://alert.nvcc.edu), some of the various types of alert notifications systems at NOVA, shelter-in-place tips during severe weather, emergency response evacuation information, as well as personal safety tips.

The Office of Emergency Management and Safety conducts drills and exercises each year to test the emergency response and evacuation procedures. NOVA published a summary of its emergency response and evacuation procedures in conjunction with at least one drill or exercise each calendar year as required by Virginia Executive Order #41.

Crisis Communications Protocols

The *Crisis Communication Protocols* plan provides information on NOVA emergency communication plans and procedures. It serves as the primary tool for implementing communication related activities to crisis situations. It has been developed to provide guidance to college officials in regards to delivering an effective, efficient, timely and comprehensive message before, during, and after emergency situations.

An immediate notification will be issued when the NOVA Police Department or another Responsible College Authority (see Section 2.1 of the *Crisis Communications Protocols* for a list of Responsible College Authorities) has confirmed that an emergency situation poses an immediate threat to the life, safety or security of the campus community. The NOVA Police Department Senior Officer on Duty, Campus Police Dispatcher (for weather alerts), or another Responsible College Authority will authorize the timely warning or emergency notification based on the operational guidelines in the *Crisis Communications Protocols*. In addition, NOVA will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency. NOVA Police and/or OEMS potentially in concert with the Responsible College Authority that may also be involved, will determine the content of the message and will use some or all of the systems described below to communicate the threat to the NOVA Community or to the appropriate segment of the community. Some or all of these methods of communication may be activated in the event of an immediate threat to the NOVA Campus Community.

The Office of Strategic Partnerships and Workforce Innovation manages, directs, and disseminates supplemental non-emergency communications to the appropriate audiences, including students, parents of students, faculty, staff, the news media, the surrounding community, and individuals and/or organizations outside the campus community.

The following link is for the *Crisis Communications Protocols Plan*
https://www.nvcc.edu/emergency/_docs/CrisisCommunicationProtocols_11_03_14-Final.pdf

In the event of a serious incident that poses an immediate threat to members of the NOVA community, the College has various systems in place for communicating the information quickly. Some or all of the methods of communication listed below may be used in the event of an immediate threat to the NOVA campus community. These methods of communication include:

1. **Campus Visual Message System (Digital Displays).** Emergency messages can be displayed on flat panel screens strategically located throughout each campus and in some centers. The messages can be locally or centrally controlled. This will allow messages to be displayed in common areas i.e., hallways, eating areas, etc. The digital displays may also be used to scroll a banner/ticker across the screen for shorter messages for longer time periods.

2. **Text Messaging Service (NOVA Alert).** NOVA has partnered with Rave Mobile Safety to deliver emergency alerts and notifications to students, faculty and staff via email and/or text alerts. Log in to http://alert.nvcc.edu to manage your account - including verifying your current information and adding additional email addresses and/or cell phone numbers.

All students and employees are automatically enrolled in NOVA Alert. Students are enrolled with their email.VCCS.edu email addresses. Employees are enrolled with both their VCCS.edu and NVCC.edu email addresses. If your cell phone number is listed in NOVAConnect (either as a student or in HRMS as an employee), it will also be added to your NOVA Alert account. If it is not in NOVAConnect and you wish to add your cell phone number, or if you want to add additional email addresses, you should login to NOVA Alert and update your information. NOVA Alert is updated weekly throughout the term.

Please Note: The system requires that your primary email (called the Registered Email) be your VCCS email account. However, you can add any other email addresses you would like to have receive an alert. All of the email addresses listed in NOVA Alert will receive alerts, not just the registered email account.

For more information, please access NOVA Alert Tips. If you have questions regarding your login, please contact the IT Help Desk at ithelpdesk@nvcc.edu or by phone at 703-426-4141, Monday through Friday, 8:30 am to 4:00 pm.

3. **Computer Alerts (Pop-Up Messages).** The College is able to send an emergency alert to every computer connected to the College computer network. This will allow emergency messages to be sent to classrooms where the instructor is using the computer, to all the students in computer labs, and to all the faculty and staff in their offices. This is an important capability since students are often told to turn off their cell phones during class.

4. **Automated or Live Broadcast.** Campus emergency messages can be broadcast directly into any college IP phone on a campus and emergency calls can be made from phones that have been installed college wide. The activation of this system can be local (campus) or college-wide.

5. **NOVA Website**. Emergency messages can be put on the NOVA website quickly from any location. There is an alert at the top of the page that appears when an emergency message is posted under “Important Information.” The large picture can be changed to allow text when additional information is so urgent that it needs to appear on the home page. Text can be added to the “Closings” page or additional pages can quickly be added and updated as needed. In addition, the “News” page can be updated remotely. When monitoring the web-pages for information it is recommended that the user

occasionally refresh the web-page for the most current information when actively monitoring an incident. After Timely Warning are issued, updates to events may also be located on the webpage in the Crime Alerts page.

6. **Digital Social Media.** Emergency messages can be sent through NOVA mobile, Twitter, Facebook, and other social media services.

7. **Cable Television.** Emergency messages can be put on the college's Cable-TV channel from remote locations. The NOVA Channel appears on the Cox and Comcast systems in Fairfax County and Alexandria and on Verizon FiOS 24 hours a day, 7 days a week. It is available in the other jurisdictions on a more limited daily schedule.

8. **College E-mail.** During emergencies, E-mail can be sent College-wide to all employees and students. Separate distribution lists are also maintained for each campus. Students, Staff, and Faculty are encouraged to check their emails regularly for messages.

9. **Local News Media.** The College Public Information Office sends press releases and makes calls to local media. Because of the transient nature of its population, the College depends heavily on broadcast media to notify students, faculty, and staff of emergencies before or during their commutes.

10**. Flyers/Flat Panel Scrolls.** Flyers with similar information as published for NOVA's "alerts" can be printed out and posted across various locations such as doorway entrance areas and bulletin boards to ensure notification of the College community or placed on the flat panels as a scroll.

Procedures for emergency communication are outlined in the Crisis Communications Protocols plan.

Note: all technologies may not be available at all NOVA locations or facilities. For example, the military bases as well as many NOVA Non-Campus locations do not have access to **Computer Alerts (Pop-Up Messages) or Campus Visual Message System (Digital Displays)** but should still receive **Text Messaging Service (NOVA Alert**) depending upon individual service providers. The military installations use their own technologies, which may include a **whistle system**, **emergency button system**, **paging system**, and their own emergency **alert texting system**. Should you have any questions about the technologies used on a specific base, please contact the NOVA associated base installation contact whose information is below.

Fort Belvoir	Fort Myer/Henderson Hall	Quantico
Barden Education Center, Rm 127	417, Rm 215	Lifelong Learning Center
Vacant	Ashley James	Vacant
militaryservices@nvcc.edu	ajames@nvcc.edu	Militaryservices@nvcc.edu
703-293-8133	703-527-5976	703-640-6303

Emergency Action Plan

The *Emergency Action Plan* establishes procedures to be followed by employees in the event of an emergency, to include shelter-in-place and evacuation guidelines. It is the responsibility of all College employees to be knowledgeable of the *Emergency Action Plan* and to participate in drills and exercises. Faculty members are responsible for ensuring students are familiar with emergency procedures. The Emergency Action Plan can be found at: *Emergency Action Plan*.

Emergency Preparedness posters are placed throughout each Campus and Off-Site Facility and Emergency Preparedness information is made available and disseminated to faculty, staff, and students in an effort to provide them with information about what they should do in an emergency event. In addition, the College maintains a list of emergency preparedness tips at http://www.nvcc.edu/emergency/campus.html

Access to Campus Buildings and Maintenance of Campus Facilities

NOVA's main campuses are open from 7:00 a.m. until 11:00 p.m., or generally during the times classes are in session. NOVA's centers and military sites may have different times of operation. At all other times, college buildings are generally secured; access can be gained by making special arrangements with the appropriate campus operations director, the director of continuing education, or the police. Restricted areas such as labs, testing sites and faculty offices are secured and monitored by college police and security personnel. Information on scheduled hours for these areas is available through the various academic divisions.

Locks on Classroom Doors

NOVA has installed locks that allow all classrooms to be locked from the inside to prevent unwanted intrusion while still allowing doors to be quickly opened from the inside to permit easy exit.

Electronic Card Security and Door Access Control System

The CBORD Access control system has been installed on campus perimeter doors and is installed at various interior locations throughout the college. The system has many advantages, allowing police and others to monitor the status and history of use for all doors as well as to lock and unlock doors remotely. Access is controlled individually through student and employee identification cards.

Separate-Campus Facilities

Local police services cover for some separate-site locations where NOVA has students, including NOVA Online and the Reston Center. Some of these locations such as Trailside (Battleview Park) and Signal Hill are considered to be contiguous to the main campus. Additionally, the College's Office of Emergency Management and Safety, in collaboration with the College Police, assesses the safety and security of these locations and implements corrective actions as required.

Access at times to the Fort Myers/ Henderson Hall, Fort Belvoir, or Quantico may be restricted. For specific base access call NOVA's contacts below.

Fort Belvoir	Fort Myer/Henderson Hall	Quantico
Barden Education Center, Rm 127	417, Rm 215	Lifelong Learning Center
Vacant	Ashley James	Vacant
militaryservices@nvcc.edu	ajames@nvcc.edu	Militaryservices@nvcc.edu
703-293-8133	703-527-5976	703-640-6303

Monitoring and Managing Concerning Threatening Behavior

The Office of Wellness and Mental Health and Human Resources/Employee Relations (HR/ER) play major roles in preventative efforts and threat assessment/behavioral intervention in instances of problematic or threatening behavior: Office of Wellness and Mental Health for students and HR/ER for college employees.

Both the Office of Wellness and Mental Health and HR/ER are organizationally aligned with the college's safety and security structure. Together with College Police and Office of Emergency Management and Safety, they provide coordinated training to faculty, staff, and students on various topics with Clery implications as well as personal wellness.

The Office of Student Rights & Responsibilities plays a critical role in ensuring all aspects of student services support campus safety and security. These responsibilities include seeing that the Student Code of Conduct is enforced to maintain a collegiate environment that supports teaching and learning; working with student leadership to promote strong student involvement in enhancing campus life; and chairing the College Behavioral Intervention Team (BIT) as part of the overall effort to address issues of student mental health and problematic or threatening behavior. The Office also adjudicates alcohol, drug, and illegal weapons violations via non-criminal referrals.

The College has a Behavioral Intervention Team staffed by counselors that provides a systematic response to students whose behavior is disruptive to themselves, others, or the community. The system is a three-part structure which consists of the BIT, Threat Assessment Team, and the Violence Prevention Committee. The BIT counselors respond to faculty, staff, and student concerns, assess threat levels, develop and oversee implementation of a response plan, and work closely with Police, Students, and Faculty representatives. The Threat Assessment Team, comprised of the College Police, Associate Vice-President of Student Supports, Title IX Coordinator, Office of Wellness and Mental Health Director, Maxient Case Manager, Associate Director for Employee Relations, and the Office of System Counsel (as necessary) for NOVA provide guidance and intervention when threat levels are elevated based upon the circumstances surrounding any given situation. The Violence Prevention Committee is responsible for recommending policies and protocols, facilitating college-wide communications and coordination, and overseeing safety related educational activities. These teams receive full administrative endorsement and support, with BIT members receiving formal specialized training in dealing with behavioral issues. Members of the college community (faculty, staff, and students) who report problematic or threatening behavior and BIT members who assess the information are assured their actions are fully supported and implemented to maintain college safety and security. The following link will bring you to a more

comprehensive website where Behavioral Intervention Teams and the Threat Assessment Team is explained further: https://www.nvcc.edu/wellness/threat-assessment/threat-assessment-team.html.

Case management ensures situations with high-risk students are monitored and that needed resources are brought to bear for behavior intervention. Behavior of concern is easily reported through: nvcc.edu with the search word 'Office of Wellness and Mental Health'. There are several resources available at NOVA for emergency financial assistance, food assistance, and mental health assistance. Those resources can be found below at the following links:

- Financial Stability and Advocacy Centers: https://www.nvcc.edu/financial-stability/index.html
- Single Stop Screener: https://www.nvcc.edu/financial-stability/singlestop.html
- Nighthawk Food Pantry: https://www.nvcc.edu/wellness/pantry.html
- CCAMPIS (Resources for Parenting Students): https://www.nvcc.edu/ccampis/index.html
- Office of Wellness and Mental Health Resources: https://www.nvcc.edu/wellness/resources.html
- Office of Wellness and Mental Health Provider Database: http://nvcc.rints.com/
- Office of Wellness and Mental Health Video Library: https://www.nvcc.edu/wellness/video.html
- TimelyCare: https://www.nvcc.edu/wellness/telehealth-services.html
- FindHelp.Org: https://www.findhelp.org/
- 2-1-1 Virginia: https://211virginia.org/consite/index.php

On-Campus Security Cameras - Monitoring and Recording

Campus buildings and grounds are patrolled by the College Police and certified Campus Security Officers (CSOs). Monitoring is assisted by an integrated network of cameras operated by police and CSOs. The college campuses, including all buildings, grounds, parking areas, and roadways, are maintained with concern for safety and security. Campus buildings and equipment are inspected regularly, and needed repairs to replace faulty equipment and to mitigate potential hazards are promptly made. Upon request security assessments are conducted in conjunction with the appropriate college departments. Walk-throughs are regularly conducted by facilities and public safety officials to determine the appropriateness in maintaining current security features or implementing new security features. The public can report safety concerns through police dispatch at 703-764-5000 or by using the LiveSafe app.

Non-Campus Monitoring of Activities

NOVA operates Non-Campus activities associated with academics, athletics, housing associated with the International & Global Studies initiatives, and student services within the institution. If a NOVA student is involved in an offense at an off-campus center or facility, NOVA police officers cooperate as requested and permitted by law with responding local, state and federal law enforcement officials.

On-Campus Residential Housing

NOVA does not have any On-Campus residential housing.

Missing Person Guide

The NOVA's Missing Person Guide is designed to help familiarize employees and students with the procedures that should be followed if an employee or student is suspected missing. All higher education institutions that provide on-campus housing must comply with federal mandates required by the Crime Awareness and Campus Act better known as the "Clery Act" which is contained in section 485 of the higher education act, codified at 20 U.S.C. § 1092 and are required to establish missing student notification procedures for students who reside in on-campus housing.

A missing person is an individual whose whereabouts are unknown; they have disappeared for no known reason and there is reasonable concern for their well-being and safety. If a student or employee is believed to be missing and there is reasonable concern for his or her well-being and safety, the NOVA College Police should be contacted immediately at 703-764-5000.

If you suspect someone you know is missing, notify the NOVA College Police immediately (703) 764-5000 or your local law enforcement agency by dialing 911, and provide a detailed description of the missing person.

The following link contains the full NOVA Missing Person Guide:
https://www.nvcc.edu/police/clery/_files/NOVA-Missing-Person.pdf

Firearms/Dangerous Weapons and Materials Policy

Faculty, staff, and students may have unloaded handguns, rifles, and shotguns in a secure out of sight compartment or container in parked vehicles. Faculty, staff, and students who wish to secure a handgun in their vehicle must possess a valid concealed handgun permit. The compartment or container may be a trunk or other storage area. At no time shall a weapon to include handguns, rifles and shotguns be visible in plain view while inside a vehicle. Furthermore, at no time shall faculty, staff and students possess the weapon (except while in their vehicle) while on college property. The only exception applies to police officers as defined within the policy. While civilian-attired police officers are authorized to carry firearms on campus, they must keep them concealed so as not to alarm others. Bringing explosives and other dangerous chemicals onto campus is prohibited, without exception. The weapons policy can be found at https://www.nvcc.edu/policies/_files/108-Weapons.pdf.

Alcohol and Controlled Substance Policy and Procedures

Subject: Alcohol and Controlled Substance Policy ("Controlled substance" is used rather than "drug" as drugs technically refer to any chemical substance that, when taken into the body changes the chemistry and functioning of the body. These changes can include those produced by legally prescribed or over-the-counter medication.)

1. Purpose

   In order to maintain an atmosphere conducive to learning and consistent with the College's mission, NOVA provides this policy to the members of the college's community regarding the use of alcoholic beverages and controlled substances.

2. Policy

   Students and employees of NOVA shall not possess, sell, use, purchase, manufacture, give away or otherwise distribute illegal substances including drugs or, where prohibited, alcohol while on campus, attending a college-sponsored off-campus event or while serving as a representative of the College at off-campus meetings. Students and employees who violate this policy could be subject to arrest and disciplinary action by the College imposed through established due process procedures.

   Students found guilty of possessing, using, distributing, or selling controlled substances will face serious disciplinary action, which may include suspension and dismissal from the College for a first offense. In addition, the College will notify the police when its rules regarding illegal substance have been violated.

   College employees are subject to disciplinary action as outlined in the DHRM Policy and Procedures Manual, Policy Number 1.05. Disciplinary action may include suspension without pay or termination of employment.

3. State and Federal Statutes

   The Commonwealth of Virginia and the Virginia State Alcohol Beverage Control Board have enacted laws and regulations which govern alcoholic beverages. These laws are included in the copy of the entire document which can be found at the following link: https://www.nvcc.edu/policies/

4. Health Risks

   NOVA recognizes that the misuse and abuse of alcohol is a persistent social and health problem of major proportion in our society and that it interferes with the objectives of our institution. Specific health risks associated with alcohol use can be found on the CDC's website.

5. Prevention Program

   Recognizing the serious consequences resulting from the inappropriate use of drugs by practically all ages and segments of our society, NOVA has established student and employee policies that prohibit the possession or consumption of controlled substances on campus. Beyond potential disciplinary action that could result, the College recognizes the need and the responsibility to provide information and counseling services regarding the hazards of substance abuse. The following program of activities and services constitutes NOVA's effort to prevent drug abuse on the part of its students, faculty and staff. The Deans of Students will provide oversight for the content and timeliness of the programs.

A. At least once a year, each campus will conduct a seminar, workshop, presentation or other program of information and awareness that will be open to all students, faculty and staff.

B. Each Student Services Center will provide readily available brochures and information sheets which may be used by individuals for their own personal information and awareness.

C. A list of referral services in Northern Virginia that specialize in assisting persons with substance abuse issues is available through 211Virginia at www.211Virginia.org. Student, faculty and staff requesting assistance will be referred to the appropriate public agencies.

6. Biennial Review

The Associate Vice President for Student Services and Enrollment Management is responsible for completing the biennial review as noted in 34 CFR. The review will:

(1) Determine the effectiveness of the education program and implement needed changes;

a. The AVP for Student Services will collect program information from the campuses and present the information to the Deans' Working Group for review. At a minimum, the review will look at attendance and timeliness of subject matter.

b. The DWG will recommend any needed changes

c. Changes will be disseminated through the AVP's office

(2) Ensure that the disciplinary sanctions applicable under State or Federal law for the unlawful possession or distribution of illicit drugs and alcohol are consistently enforced.

(3) The annual notification will be sent by email to all students at the start of each fall semester. It will also be posted on the web in the Faculty Handbook, the Classified Handbook, The Student Handbook and the Adjunct Faculty Handbook. Employees and student who begin after the fall notification will be guided to the appropriate handbook for information.

Drug and Alcohol Abuse Prevention Program for Employees

NOVA supports the requirements of the Drug-Free Schools and Communities Act. In support of the College's drug-free workplace policy, NOVA established a Drug and Alcohol Abuse Prevention Program (DAAPP) for employees to prevent the illicit use of drugs and abuse of alcohol or inhalants by employees. The following link will bring you to the NOVA DAAPP program: https://www.nvcc.edu/hr/daapp-employees/index.html.

Policy on Sexual Harassment

A. Notice of Nondiscrimination

As a recipient of federal funds, Northern Virginia Community College is required to comply with Title IX of the Higher Education Amendments of 1972, 20 U.S.C. § 1681 et seq. ("Title IX"), which prohibits discrimination on the basis of sex in education programs or activities, admission, and employment. Under certain circumstances, sexual harassment constitutes sexual discrimination prohibited by Title IX. Inquiries concerning the application of Title IX may be referred to the College's Title IX Coordinator or to the U.S. Department of Education's Office for Civil Rights. The Title IX Coordinator is Laura Bucks, who may be contacted by phone at 703.323.2262 or by email at TitleIX@nvcc.edu.

B. Policy

1. The Northern Virginia Community College is committed to providing an environment that is free from harassment and discrimination based on any status protected by law. Accordingly, this Policy prohibits sex discrimination, which includes sexual harassment, sexual assault, sexual exploitation, domestic violence, dating violence, and stalking. This Policy also prohibits retaliation. This Policy supplements the following general policy statement set forth by the Virginia Community College System: This College promotes and maintains educational opportunities without regard to race, color, national origin, religion, disability, sex, sexual orientation, gender identity, ethnicity, marital status, pregnancy, childbirth or related medical conditions including lactation, age (except when age is a bona fide occupational qualification), veteran status, or other non-merit factors. This Policy also addresses the requirements under the Violence Against Women Reauthorization Act of 2013, (also known as the Campus SaVE Act), and Virginia law.

2. This Policy is not intended to substitute or supersede related criminal or civil law. Individuals are encouraged to report incidents of sexual and domestic violence, dating violence, and stalking to law enforcement authorities. Criminal and civil remedies are available in addition to the remedies that the College can provide.

C. Purpose

The purpose of this Policy is to establish that the College prohibits sexual harassment and retaliation, and to set forth procedures by which allegations of sexual harassment shall be reported, filed, investigated, and resolved.

D. Applicability

This Policy applies to prohibited conduct by or against students, faculty, staff, and third parties, e.g., contractors and visitors, involving a program or activity of the College in the United States. Conduct outside the jurisdiction of this Policy may be subject to discipline under a separate code of conduct or policy.

E. Definitions

1. Actual Knowledge. Actual knowledge means notice of sexual harassment or allegations of sexual harassment to a College's Title IX Coordinator [and/or any other official of the College who has authority to institute corrective measures on behalf of the College].

2. Advisor. An advisor is an individual who provides the complainant or respondent support, guidance, and advice. Advisors may be present at any meeting or live hearing but may not speak directly on behalf of the complainant or respondent, except to conduct cross-examination during a live hearing. Advisors may be but are not required to be licensed attorneys.

3. Appeal Officer. The Appeal Officer is the designated employee who reviews the complete record of the formal complaint and written statements of the parties during an appeal of a written determination. The Appeal Officer decides whether to grant the appeal and determines the result of the appeal.

4. Campus. Campus refers to (i) any building or property owned or controlled by the College within the same reasonably contiguous geographic area of the College and used in direct support of, or in a manner related to, the College's educational purposes, and (ii) any building or property that is within or reasonably contiguous to the area described in clause (i) that is owned by the College but controlled by another person, is frequently used by students, and supports institutional purposes, such as a food or other retail vendor.

5. Complainant. A complainant is an individual who is alleged to be the victim of conduct that could constitute sexual harassment. A complainant may file a formal complaint against faculty, staff, students, or third parties.

6. Consent. Consent is knowing, voluntary, and clear permission by word or action, to engage in mutually agreed upon sexual activity. Silence does not necessarily constitute consent. Past consent to sexual activities, or a current or previous dating relationship, does not imply ongoing or future consent. Consent to some sexual contact (such as kissing or fondling) cannot be presumed to be consent for other sexual activity (such as intercourse). An individual cannot consent who is under the age of legal consent. The existence of consent is based on the totality of the circumstances, including the context in which the alleged incident occurred. Any sexual activity or sex act committed against one's will, by the use of force, threat, intimidation, or ruse, or through one's mental incapacity or physical helplessness is without consent.

   a) *Mental incapacity* means that condition of a person existing at the time which prevents the person from understanding the nature or consequences of the sexual act involved (the who, what, when, where, why, and how) and about which the accused knew or should have known. This includes incapacitation by using drugs or alcohol. Intoxication is not synonymous with incapacitation.

   b) *Physical helplessness* means unconsciousness or any other condition existing at the time which otherwise renders the person physically unable to communicate an unwillingness to act and about which the accused knew or should have known. Physical helplessness may be reached through the use of alcohol or drugs.

7. Cross-examination. Cross-examination is the opportunity for a party's advisor to ask questions of the other party and the other party's witnesses.

8. Cumulative Evidence. Cumulative evidence is additional evidence that has been introduced already on the same issue and is therefore unnecessary. The Hearing Officer has the discretion to exclude cumulative evidence.

9. Dating Violence. Dating violence is violence, force, or threat that results in bodily injury or places one in reasonable apprehension of death, sexual assault, or bodily injury committed by a person who is or has been in a close relationship of a romantic or intimate nature with the other person. The existence of such a relationship shall be determined based on a consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

10. Deliberate Indifference. Deliberate indifference refers to a response to sexual harassment that is clearly unreasonable in light of the known circumstances. The College's response may be deliberately indifferent if the response restricts the rights to the Freedom of Speech and Due Process under the First, Fifth, and Fourteenth Amendments of the U.S. Constitution.

11. Direct Examination. Direct examination is the questioning of a witness by a party who has called the witness to provide such testimony.

12. Domestic Violence. Domestic violence is violence, force, or threat that results in bodily injury or places one in reasonable apprehension of death, sexual assault, or bodily injury and that is committed by a person against such person's family or household member, which includes a current or former spouse, a person with whom the victim shares a child in common, or who is cohabitating with or has cohabitated with the person as a spouse or intimate partner.

13. Due Process. Due process is a right guaranteed by the Fifth and Fourteenth Amendments of the U.S. Constitution. Basic procedural due process guarantees that an individual receives notice of the matter pending that relates to the possible deprivation of a property or liberty interest and the opportunity to be heard. For example, students and employees facing suspension or expulsion/termination for disciplinary reasons must be given notice of the allegations against them prior to any hearing or determination of responsibility. Any disciplinary process must be fair and impartial. Additionally, the opportunity to respond must be meaningful.

14. Education Program or Activity. An education program or activity encompasses all of the College's operations and includes locations, events, or circumstances over which the College exercises substantial control over both the respondent and the context in which the sexual harassment occurs. Examples of education programs or activities includes, but are not limited to, college-sponsored conferences, athletic events and sports teams, student organizations, and wi-fi network.

15. Exculpatory Evidence. Exculpatory evidence is evidence that shows, or tends to show, that a respondent is not responsible for some or all of the conduct alleged in the notice of allegations. The College must provide the respondent with all exculpatory evidence.

16. Final Decision. A final decision is the written document that describes any sanctions imposed and remedies provided to the respondent and complainant, respectively, at the conclusion of the formal resolution process.

17. Formal Complaint. A formal complaint is a document filed and signed by a complainant or signed by the Title IX Coordinator that alleges sexual harassment against a respondent and requests the College to investigate the allegation of sexual harassment. The complainant must be participating in or attempting to participate in an education program or activity of

the College when the formal complaint is filed. A complainant cannot file a formal complaint anonymously. The Title IX Coordinator may sign on a complainant's behalf in matters where it is in the best interest of the complainant or the College to do so. The College may consolidate formal complaints against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances.

18. Freedom of Speech. The freedom of speech is a right guaranteed by the First Amendment of the U.S. Constitution to express one's thoughts and views without unlawful governmental restrictions. As governmental entities, Colleges must not infringe on this right. This Policy expressly prohibits censorship of constitutionally protected expression.

19. Hearing Officer. A Hearing Officer is the presiding official of a live hearing who must issue a written determination on responsibility. Colleges may choose to hold live hearings with a single Hearing Officer or by committee.

20. Inculpatory Evidence. Inculpatory evidence is evidence that shows, or tends to show, that a respondent is responsible for some or all of the conduct alleged in the notice of allegations.

21. Preponderance of the Evidence. A preponderance of the evidence is evidence that shows that the fact sought to be proved is more probable than not to be true. A preponderance of the evidence means evidence that is of greater weight or more convincing than the evidence that supports the contrary position.

22. Relevance. Relevance refers to evidence that tends to prove or disprove whether the respondent is responsible for the alleged conduct. In determining whether a question is relevant, the Hearing Officer must focus on evidence pertinent to proving whether facts important to the allegations in the formal complaint are more or less likely to be true.

23. Remedies. Remedies are actions taken or accommodations provided to the complainant after a determination of responsibility for sexual harassment has been made against the respondent. Remedies are designed to restore or preserve equal access to the College's education program or activity. Remedies may be disciplinary or non-disciplinary.

24. Report of Sexual Harassment. A report of sexual harassment occurs when anyone reports an allegation of sexual harassment to the Title IX Coordinator, or one that reaches the Title IX Coordinator through a Responsible Employee. An individual need not be participating or attempting to participate in an education program or activity of the College to file a report. The respondent also does not need to be an employee, student, or otherwise affiliated with the College for a person to file a report against a respondent. A report of sexual harassment does not trigger an investigation or the formal or informal resolution process, but it does require the Title IX Coordinator to meet with the complainant and carry out the procedures described in Section S and/or T of this Policy, as applicable.

25. Respondent. A respondent is an individual who has been reported to have engaged in conduct that could constitute sexual harassment as defined under this Policy. In most cases, a respondent is a person enrolled or employed by the College or who has another affiliation or connection with the College. The College may dismiss a formal complaint when the College has little to no control over the respondent but will offer supportive measures to the complainant and set reasonable restrictions on an unaffiliated respondent when appropriate.

26. Responsible Employee. A Responsible Employee is an employee who has the authority to take action to redress sexual harassment; who has been given the duty to report sexual harassment to the Title IX Coordinator; or an employee a student could reasonably believe has such authority or duty. A Responsible Employee shall not be an employee who, in his or her position at the College, provides services to the campus community as a licensed health care professional, (or the administrative staff of a licensed health care professional), professional counselor, victim support personnel, clergy, or attorney.

27. Review Committee. A review committee is the committee consisting of three or more persons, including the Title IX Coordinator or designee, a representative of campus police or campus security, and a student affairs representative, that is responsible for reviewing information related to acts of sexual violence.

28. Sex Discrimination. Sex discrimination is the unlawful treatment of another based on the individual's sex that excludes an individual from participation in, separates or denies the individual the benefits of, or otherwise adversely affects a term or condition of an individual's employment, education, or participation in an education program or activity. The College's treatment of a complainant or a respondent in response to a formal complaint of sexual harassment constitutes sex discrimination under Title IX when such response is deliberately indifferent.

29. Sexual Assault. Sexual assault is any sexual act directed against another person without consent or where the person is incapable of giving consent. Sexual assault includes intentionally touching, either directly or through clothing, the victim's genitals, breasts, thighs, or buttocks without the person's consent, as well as forcing someone to touch or fondle another against his or her will. Sexual assault includes sexual violence.

30. Sexual Exploitation. Sexual exploitation occurs when a person takes non-consensual or abusive sexual advantage of another for his/her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of other sexual harassment offenses. Examples of sexual exploitation include prostituting another person; non-consensual video or audio-taping of otherwise consensual sexual activity; going beyond the boundaries of consent (such as letting your friends hide in the closet to watch you having consensual sex), and knowingly transmitting HIV or an STD to another.

31. Sexual Harassment. Sexual harassment means conduct on the basis of sex that satisfies one or more of the following:

a) *Quid Pro Quo*: The submission to or rejection of such conduct is used as the basis for educational or employment decisions affecting the student or employee either explicitly or implicitly;

b) *Hostile Environment*: Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to an education program or activity of the College, including a student's educational experience or an employee's work performance; and

c) *Clery Act/VAWA Offenses*: Sexual assault/sexual violence, dating violence, domestic violence, and stalking, as defined by this Policy.

32. Sexual Violence. Sexual violence means physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent. Sexual violence includes rape and sexual assault.

33. Stalking. Stalking means engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others or suffer substantial emotional distress. Such conduct can occur in person or online, but the conduct must involve an education program or activity of the College.

34. Statement. A statement is a person's intent to make factual assertions, including evidence that contains a person's statement(s). Party or witness statements, police reports, Sexual Assault Nurse Examiner (SANE) reports, medical reports, and other records may be considered by the Hearing Officer even if they were not subject to cross-examination at a live hearing.

35. Supportive Measures. Supportive measures means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the College's education programs or activities without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the campus environment, or to deter sexual harassment.

36. Third Party. A third party is any person who is not a student or employee of the College.

37. Title IX. Title IX means Title IX of the Education Amendments of 1972, which prohibits discrimination on the basis of sex in any education program or activity receiving Federal financial assistance.

38. Title IX Coordinator. The Title IX Coordinator is the employee or employees designated and authorized to coordinate the College's efforts to comply with its responsibilities under Title IX.

39. Workday. A workday is any day that the College is open for business. Workdays include days when classes are not held, but when employees are expected to be at work.

40. Written Determination. A written determination is the written decision by a Hearing Officer that a respondent is responsible or not responsible for a violation of this Policy by a preponderance of the evidence after a live hearing. A written determination also is the result of an appeal decided by an Appeal Officer.

F. Retaliation

1. No person may intimidate, threaten, coerce, harass, discriminate, or take any other adverse action against any other person for the purpose of interfering with any right or privilege provided by this Policy, or because the person has made a report or filed a formal complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, live hearing, or any other process described in this Policy.

2. Action is generally deemed adverse if it would deter a reasonable person in the same circumstances from opposing practices prohibited by this Policy.

3. Allegations of retaliation that do not involve sex discrimination or sexual harassment but are related to a report or formal complaint of sexual harassment for the purpose of interfering with any right or privilege provided by this Policy constitutes retaliation.

4. Allegations of retaliation will be investigated and adjudicated as a separate code of conduct violation. Any person found responsible for retaliating against another person is subject to disciplinary or other action independent of the sanctions or interim measures imposed in response to the underlying allegations of violations of this Policy.

G. Reporting Incidents of Sexual Harassment

1. Members of the campus community who believe they have been victims of crimes may report the incident to campus or local police. All emergencies or any incident where someone is in imminent danger should be reported immediately to campus police/security or local police by dialing 911 or 703.764.5000.

2. Whether or not a report is made to law enforcement, any person may report sex discrimination, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment), in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator, or by reporting such conduct to a Responsible Employee to ensure that the Title IX Coordinator receives the verbal or written report. The Title IX Coordinator is solely responsible for overseeing the prompt, fair, and impartial investigation and resolution of reports and formal complaints filed with the College.

Northern Virginia Community College Title IX Campus Resources

Title IX Coordinator: Laura Buchs
4001 Wakefield Chapel Road
Brault Building 257
Annandale, VA 22003-3723
703.323.2262
TitleIX@nvcc.edu

3. During non-business hours, members of the campus community should report alleged violations of this Policy to TitleIX@nvcc.edu or 703.323.2262.

4. There is no time limit for reporting incidents of sexual harassment with the Title IX Coordinator. However, complainants should report possible violations of this Policy as soon as possible to maximize the College's ability to respond effectively to the report. Failure to report promptly also could result in the loss of relevant evidence.

H. Confidentiality and Anonymous Reports

1. Individuals may be concerned about their privacy when they report a possible violation of this Policy. The College must keep confidential the identity of any individual who has made a report or formal complaint of sexual harassment; any complainant or any individual who has been reported to be the perpetrator of sexual harassment; and any witness related to a report or formal complaint of sexual harassment, except as may be permitted by the Family Educational Rights and Privacy Act (FERPA), or as otherwise required by law, or to carry out the purposes of this Policy, including the conduct of any investigation, live hearing, or judicial proceeding arising from any report or formal complaint.

2. The College has a responsibility to respond to conduct that violates this Policy. For this reason, most College employees may not keep secret a report of sexual harassment. The College expects employees to treat information they learn concerning incidents of reported violations of this Policy with respect and as confidentially as possible. College employees must

share such information only with those College and law enforcement officials who must be informed of the information pursuant to this Policy.

3. Responsible Employees must report all alleged violations of this Policy obtained in the course of his or her employment to the Title IX Coordinator as soon as practicable after addressing the immediate needs of the complainant. Other campus employees have a duty to report sexual assault, domestic violence, dating violence, and stalking for federal statistical reporting purposes (Campus Security Authority (CSA) under the Clery Act). CSAs include student/conduct affairs personnel, campus law enforcement, student activities staff, human resources staff, and advisors to student organizations. All employees must report suspected child abuse or neglect to the Title IX Coordinator as soon as practicable, but no later than 24 hours after forming such suspicion, pursuant to VCCS Policy Number 3.14.6, Reporting Sexual Child Abuse or Neglect.

4. If a complainant wishes to keep the report of sexual harassment completely confidential, it is recommended that he or she reports the alleged conduct to someone without a duty to report incidents of sexual harassment to the Title IX Coordinator. Full-time employees also may contact the Employee Assistance Program. If the complainant requests that the complainant's identity is not released to anyone else, the College's response may be limited to providing supportive measures, if appropriate and reasonably available. When supportive measures are provided, the College will protect the privacy of the complainant to the extent possible while still providing the supportive measures.

5. The College may pursue the formal resolution process even if the complainant requests the College to take no action. The Title IX Coordinator will notify the complainant in writing within five (5) workdays of the decision to pursue the formal resolution process when he or she is unable to maintain confidentiality or respect the complainant's request for no further action. The Title IX Coordinator will give the complainant's wishes due consideration.

6. The College will accept anonymous reports, but its response may be limited to providing supportive measures if appropriate and reasonably available. The Title IX Coordinator (or campus police) will conduct a preliminary investigation in an effort to determine the respondent's identity. If the preliminary investigation fails to reveal the identity of the respondent, the Title IX Coordinator shall close the report because the College must have sufficient information to conduct a meaningful and fair investigation. If the identity of the respondent is revealed, the Title IX Coordinator shall proceed as otherwise provided in this Policy. The Title IX Coordinator will notify the complainant in writing of the result of the preliminary investigation promptly after the preliminary investigation.

I. Immunity

The College encourages the reporting of incidents that violate this Policy. The use of alcohol or drugs should not be a deterrent to reporting a possible incident of sexual harassment. When conducting the investigation, the College's primary focus will be on addressing the alleged sexual harassment and not on alcohol and drug violations that may be discovered or disclosed. The College does not condone underage drinking or the use of illicit drugs; however, the College will grant immunity from disciplinary action based on the personal consumption of alcohol or drugs to individuals who report incidents that violate this Policy, provided that such report is made in good faith. The College may provide referrals to counseling and may require educational options, rather than disciplinary sanctions, in such cases.

J. Timely Warnings

The College is required by federal law to issue timely warnings for reported incidents that pose a substantial threat of bodily harm or danger to members of the campus community. The College will ensure, to the extent possible, that an alleged victim's name and other identifying information is not disclosed, while still providing enough information for members of the campus community to make decisions to address their own safely in light of the potential danger.

K. Interim Measures

1. Immediate Suspension. Prior to the resolution of a formal complaint, the College may immediately suspend the respondent from an education program or activity when it determines that the respondent's continued presence poses an immediate threat to the physical health or safety of any person arising from the allegations of sexual harassment. Prior to such suspension, the College will conduct an individualized safety and risk analysis, focusing on the particular respondent and the specific facts and circumstances arising from the allegations of sexual harassment that justify the suspension. The College shall notify the respondent in writing of the specific facts and circumstances that make the immediate suspension necessary and reasonable and shall give the respondent the opportunity to challenge the decision immediately following the suspension.

2. Administrative Leave. The College may place a respondent employee on administrative leave prior to the resolution of a formal complaint. Reasons to place an employee on administrative leave include but are not limited to, the continued presence of the employee may be harmful to the employee or other employees; may hamper an investigation into the employee's alleged conduct; or may disrupt the work environment.

3. Mutual No Contact Order. The College may impose a "no contact" order on each party, requiring the parties to refrain from having contact with one another, directly or through proxies, whether in person or by electronic means. The College also will enforce orders of protection issued by courts on all College property to the extent possible.

L. Supportive Measures

1. The College will offer supportive measures to individuals whether or not a formal complaint has been filed, or whether the alleged incident is under investigation by a law enforcement agency. All requests for supportive measures will be provided if appropriate and reasonably available.

2. Supportive measures may include, but are not limited to, course schedule adjustments, reassignment of duty, leaves of absence, alternative parking arrangements, rescheduling class work, assignments, and examinations; allowing alternative class or work arrangements, such as independent study or teleworking; escort services, increased security and monitoring of certain areas of the campus, and other similar measures. Provisions of supportive measures to either party will be kept confidential to the extent possible.

M. Procedures to Follow after an Incident

Anyone who has experienced an incident of sexual harassment as defined by this Policy should take the following action:

1. Find a safe place away from harm.

2. Call 911 or if on campus, contact campus police/security.

3. Call a friend, a campus advocate, a family member, or someone else you trust and ask her or him to stay with you.

4. Go to the nearest medical facility/emergency room. It is important to seek appropriate medical attention to ensure your health and well-being, as well as to preserve any physical evidence.

5. If you suspect that you may have been given a drug, ask the hospital or clinic where you receive medical care to take a urine sample. The urine sample should be preserved as evidence. "Rape drugs," such as Rohypnol and GHB, are more likely to be detected in urine than in blood.

6. For professional and confidential counseling support, call the Virginia Family Violence & Sexual Assault Hotline at 1-800-838-8238. Help is available 24 hours a day.

7. You should take the following steps to preserve any physical evidence because it will be necessary to prove criminal domestic violence, dating violence, sexual assault, or stalking, or to obtain a protective order:

a) Do not wash your hands, bathe, or douche. Do not urinate, if possible.

b) Do not eat, blow your nose, drink liquids, smoke, or brush your teeth if the incident involved oral contact.

c) Keep the clothing worn when the incident occurred. If you change clothing, place the worn clothing in a paper bag.

d) Do not destroy any physical evidence that may be found in the vicinity of the incident by cleaning or straightening the location of the crime. Do not clean or straighten the location of the crime until law enforcement officials have had an opportunity to collect evidence.

e) Tell someone all the details you remember or write them down as soon as possible.

f) Maintain text messages, pictures, online postings, video, and other documentary or electronic evidence that may corroborate a formal complaint.

N. Support Services

1. All students and employees will receive information in writing of available counseling, health, mental health, victim advocacy, legal assistance, and other services available in the community and on campus.

2. For information about available resources, go to: https://www.nvcc.edu/titleix/assault.html.

O. Education and Awareness Program

1. The College conducts a program to educate students and employees about this Policy and its procedures. The education and awareness program is designed to promote awareness of sexual assault, domestic violence, dating violence, and stalking.

2. The program, at a minimum, shall include:

a) A statement that the College prohibits sexual harassment, including sexual assault, domestic violence, dating violence, and stalking;

b) The definition of sexual harassment, including sexual assault, domestic violence, dating violence, and stalking;

c) The definition of consent;

d) Safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or intervene when there is a risk of sexual assault, domestic violence, dating violence, or stalking against a person other than such individual;

e) Information on risk reduction to recognize warning signs of abusive behavior and how to avoid potential attacks;

f) Information on possible sanctions, procedures to follow after an incident of sexual assault, domestic violence, dating violence or stalking, disciplinary procedures, and the protection of confidentiality; and

g) Written notification about available resources and services and supportive measures available if appropriate and reasonably available.

3. The College offers the prevention and awareness program to all new and existing students and employees.

P. Academic Freedom and Freedom of Speech

1. This Policy does not allow censorship of constitutionally protected expression. As a "marketplace of ideas," the College encourages intellectual inquiry and recognizes that such inquiry may result in intellectual disagreements. Verbal or written communications constitute sexual harassment only when such communications are sufficiently severe, pervasive, and objectively offensive that they undermine and detract from a student's educational experience or an employee's work performance. Verbal or written communications, without accompanying unwanted sexual physical contact, does not constitute sexual assault.

2. In addressing all complaints and reports of alleged violations of this Policy, the College will take actions to comply with this Policy that recognize and ensure the free speech rights of students and employees. This Policy does not apply to curricula, curricular materials, or abridge the use of any textbooks.

Q. False Statements

The College prohibits knowingly making false statements or knowingly submitting false information. Any individual who knowingly files a false report or formal complaint, who knowingly provides false information to College officials, or who intentionally misleads College officials who are involved in the investigation or resolution of a report or formal complaint may be subject to disciplinary action, up to and including dismissal for students and termination of employment for faculty and staff. An allegation that cannot be proven by a preponderance of the evidence is insufficient evidence of a knowing false statement.

R. Consensual Relationships

Pursuant to VCCS Policy 3.14.2, consenting romantic or sexual relationships between employees and students for whom the employee has a direct professional responsibility are prohibited. Consenting romantic or sexual relationships between employees where one employee has a direct professional responsibility to the other also are prohibited. Consenting romantic or sexual relationships between other employees (not in a supervisory position), or with students for whom the employee does not have a direct professional responsibility, although not expressly prohibited, are unwise and strongly discouraged. The relationship may be viewed in different ways by each of the parties, in retrospect. Additionally, circumstances may change and conduct that was previously welcome may become unwelcome.

S. Handling Reports of Sexual Violence

1. The Title IX Coordinator will assist members of the campus community in reporting incidents of sexual violence to law enforcement authorities upon request. When allowable under Virginia law, the Title IX Coordinator will request the consent of the complainant (or alleged victim if different from the complainant) to report incidents of alleged sexual violence that occur on campus property to law enforcement.

2. Under Virginia law, the College may determine that the disclosure of information to local law enforcement regarding the alleged incident of sexual violence, including personally identifiable information, is necessary to protect the health or safety of the complainant or other individuals. The College also is required to notify the local Commonwealth's Attorney (or other prosecutor responsible for prosecuting the alleged act of sexual violence) when the alleged incident of sexual violence constitutes a felony.

3. Upon receiving a report of an alleged act of sexual violence as defined in this Policy against a student or one that allegedly occurred on property owned or controlled by the College or on public property within the campus, or immediately adjacent to and accessible from the campus, the Title IX Coordinator shall convene the College's review committee within 72 hours to review the information reported and any information obtained through law enforcement records, criminal history record information, health records, conduct or personnel records, and any other facts and circumstances, including personally identifiable information, related to the alleged incident known to the review committee. The review committee may try to reach a consensus, but it is the law enforcement representative of the review committee that ultimately determines whether the disclosure of the information, including the personally identifiable information, is necessary to protect the health or safety of the alleged victim or other individuals. The College shall disclose such information to the law enforcement agency that would be responsible for investigating the alleged incident immediately. The Title IX Coordinator will notify the alleged victim in writing that such disclosure is being made.

4. If the report of an alleged act of sexual violence would constitute a felony, within 24 hours of the first review committee meeting, the law enforcement representative of the review committee shall notify the local Commonwealth's Attorney (or other prosecutor responsible for prosecuting the alleged act of sexual violence) and disclose the information received by the review committee, including personally identifiable information, if such information was disclosed pursuant to Section S2. The law enforcement representative usually will make this disclosure; however, any member of the review committee may decide independently that such disclosure is required under state law and within 24 hours of the first review team meeting shall disclose the information to the local Commonwealth's Attorney (or other prosecutor responsible for prosecuting the alleged act of sexual violence), including personally identifiable information, if such information was disclosed pursuant to Section S2. If the Title

IX Coordinator is aware of such disclosure, the Title IX Coordinator will notify the alleged victim in writing that such disclosure is being made.

5. Law enforcement will notify the local Commonwealth's Attorney within 48 hours of beginning an investigation involving a felonious act of sexual violence. Either campus police, the local law enforcement agency, or the State Police will notify the Commonwealth's Attorney pursuant to an MAA/MOU.

6. In addition to the procedures described in this Section, the College must follow the procedures described in Section T following a report of sexual violence.

T. Handling Reports of Sexual Harassment

1. Upon receiving actual knowledge of sexual harassment in an education program or activity of the College against a person in the United States, the College must respond promptly in a manner that is not deliberately indifferent. The College will treat complainants and respondents equitably by offering supportive measures and by completing either a formal or informal resolution process before imposing any disciplinary sanctions or other corrective actions that are not supportive measures against a respondent. The Title IX Coordinator shall promptly provide a written notification of rights and options to complainants and respondents upon receipt of a report of sexual harassment. The written notification must include, where applicable:

a) The available law enforcement options for investigation and prosecution;

b) The importance of collection and preservation of evidence;

c) The available options for a protective order;

d) The available campus options for investigation and resolution under the College's policies, including the complainant's option to file a formal complaint;

e) The party's right to participate or decline to participate in any investigation to the extent permitted under state or federal law;

f) The applicable federal or state confidentiality provisions that govern information provided by a complainant;

g) Information on contacting available on-campus resources and community resources, including the local sexual assault crisis centers, domestic violence crisis centers, victim support services with which the College has entered into a memorandum of understanding, or other support services;

h) The importance of seeking appropriate medical attention;

i) Discuss the College's obligation to disclose information about the report, including personally identifiable information, to campus/local law enforcement or to the local Commonwealth's Attorney, or both, if the review team determines that such disclosure is necessary to protect the health or safety of the complainant or others;

j) The possible interim measures that may be imposed when necessary during the pendency of the investigative or resolution process;

k) The supportive measures available with or without filing a formal complaint when appropriate and reasonably available; and

l) An explanation to the complainant of the process for filing a formal complaint, including providing the complainant with a Formal Complaint Form, when applicable.

2. The Title IX Coordinator must consider the complainant's wishes with respect to supportive measures.

3. After providing the information described in Section T1, the Title IX Coordinator must close the report under this Policy if the conduct alleged in the report would not constitute sexual harassment as defined by this Policy, even if proved, or is outside the jurisdiction of the College, i.e., the conduct did not occur on campus or involve an education program or activity of the College, or the complainant decides against filing a formal complaint and the College honors the request. The Title IX Coordinator will notify the parties simultaneously in writing with the rationale for the decision to close the report.

4. The Title IX Coordinator shall forward the report to the appropriate College official that will determine whether the conduct alleged in the report violates a separate policy or code of conduct.

5. The Title IX Coordinator will document the action(s) taken and the rationale for such action(s).

U. Resolution of Formal Complaints

1. The College's Responsibility. The College must provide a prompt, fair, and impartial investigation, and resolution of alleged violations of this Policy. When resolving a formal complaint, the College will evaluate all relevant evidence objectively, including both inculpatory and exculpatory evidence, and will make credibility determinations without reference to a person's status as a complainant, respondent, or witness. The College will not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege. Finally, at all times prior to a determination of responsibility, the respondent will be presumed not responsible for the alleged conduct, The imposition of interim measures does not constitute a presumption of responsibility.

2. Resolution Process Options. The College may resolve formal complaints either by a formal or informal resolution process.

3. Suspending an Investigation. The College will comply with all requests for cooperation by the campus police or local law enforcement in investigations. The College may be required to suspend the Title IX investigation while the campus police or the local law enforcement agency gathers evidence. The College will resume its Title IX investigation as soon as the campus police or local law enforcement agency has completed its gathering of evidence. Otherwise, the College's investigation will not be precluded or suspended on the grounds that criminal charges involving the same incident have been filed or that charges have been dismissed or reduced.

4. Time Frame for Resolution of Formal Complaint. The resolution of any alleged violation of this Policy should be completed normally within seventy-five (75) workdays of the filing of the formal complaint, unless good cause exists to extend the timeframe. For resolving formal complaints, good cause includes but is not limited to the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; the need for language assistance or accommodation of disabilities; or unavoidable scheduling conflicts. The 75-workday timeframe refers to the entire formal resolution process, which includes the initial determination, investigation, live hearing, determination of responsibility, and the imposition of sanctions and provision of remedies, if any. The 75-workday timeframe does not include appeals. If any step of the process must be suspended or delayed for any reason and more

time is necessary, the Title IX Coordinator will notify the parties in writing and give the reason for the delay and an estimated length of the delay.

V. Formal Resolution Process

1. Formal Complaint Form. To initiate the formal resolution process, complainants must complete the Formal Complaint Form (https://www.nvcc.edu/forms/pdf/125-018.pdf) or other written and signed document that requests an investigation, and submit it to the Title IX Coordinator. The Title IX Coordinator may sign a formal complaint after due consideration of the complainant's wishes. In determining whether to sign a formal complaint, the Title IX Coordinator will consider the following factors:

a) The seriousness of the allegation(s), including whether the allegation(s) include bodily injury, threats, or the use of weapons;

b) The complainant's or alleged victim's age;

c) Whether there have been other similar complaints of against the same respondent; and,

d) The applicability of any laws mandating disclosure.

2. Notice of Allegations to the Parties. After receiving a formal complaint and as soon as practicable, the Title IX Coordinator will contact the parties to schedule an initial meeting. The correspondence must include the following information:

a) A copy of the College's Title IX Policy against sexual harassment, including the process by which the College resolves allegations of sexual harassment;

b) Notice of the allegation(s), including sufficient details known at the time and with sufficient time to prepare a response before the initial meeting. Sufficient details include the identities of the parties involved in the incident, if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident, if known;

c) Notice that each party may be accompanied by an advisor of his or her choice at all meetings and the live hearing who may be, but is not required to be, an attorney, and that each party and advisor will have the opportunity to inspect and review evidence;

d) A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility will be made at the conclusion of the formal or informal resolution process;

e) A statement that each party must notify the Title IX Coordinator in writing within five (5) workdays if he or she believes that the Title IX Coordinator has a conflict of interest or bias against the party; and

f) A statement that the College prohibits knowingly making false statements or knowingly submitting false information during the resolution of a formal complaint, in accordance with Section Q of this Policy.

3. Complainant's Initial Meeting with the Title IX Coordinator. At this meeting, the Title IX Coordinator will:

a) Determine whether an informal resolution is permissible, and whether the complainant wishes to pursue a resolution (formal or informal) through the College or no resolution of any kind;

b) Explain avenues for formal resolution and informal resolution of the formal complaint;

c) Explain that if the complainant chooses an informal resolution, that the complainant may withdraw from the informal resolution process at any time prior to the conclusion of the informal resolution process and pursue a formal resolution process, but may not do so after the conclusion of the informal resolution process;

d) Explain that records related to the informal resolution process will be maintained for a period of seven years and be made part of the record if a formal resolution process is pursued;

e) Explain the investigative process, including the right to discuss the allegations under investigation or to gather and present relevant evidence;

f) Discuss confidentiality standards and concerns with the complainant;

g) Discuss non-retaliation requirements;

h) Refer the complainant to campus and community resources, including the local sexual assault crisis center, domestic violence crisis center, victim support service with which the College has entered into a memorandum of understanding, or other appropriate support services;

i) Inform the complainant of any interim measures that will be imposed and any supportive measures that will be provided to the complainant during the pendency of the investigative and resolution processes;

j) Discuss the right to a prompt, fair, and impartial resolution of the formal complaint; and,

k) Answer questions about the Policy and procedures.

4. Respondent's Initial Meeting with the Title IX Coordinator. During this meeting with the respondent, the Title IX Coordinator will:

a) Determine whether an informal resolution is permissible, and whether the respondent wishes to pursue an informal resolution;

b) Explain avenues for formal resolution and informal resolution of the formal complaint;

c) Explain that if the respondent chooses an informal resolution, that the respondent may withdraw from the informal resolution process at any time prior to the conclusion of the informal resolution process and pursue a formal resolution process, but may not do so after the conclusion of the informal resolution process;

d) Explain that records related to the informal resolution process will be maintained for a period of seven years and be made part of the record if a formal resolution process is pursued;

e) Explain the investigative process, including the right to discuss the allegations under investigation or to gather and present relevant evidence;

f) Discuss confidentiality standards and concerns with the respondent;

g) Discuss non-retaliation requirements;

h) Inform the respondent of any interim measures that will be imposed and any supportive measures that will be provided to the respondent during the pendency of the investigative and resolution processes;

i) Refer the respondent to campus and community resources, as appropriate;

j) Discuss the respondent's the right to due process and a prompt, fair, and impartial resolution of the formal complaint;

k) If the respondent is a student and the formal complaint involves an alleged act of sexual violence as defined in this Policy, explain to the respondent that the College will include a notation on the academic transcript if the respondent is suspended or dismissed after being found responsible, or if the respondent withdraws while under investigation, that the investigation may continue in the respondent's absence, if possible, while being afforded notice of all meetings and the live hearing, if applicable, and an opportunity to inspect, review, and respond to all the evidence; and

l) Answer questions about the Policy and procedures.

5. Title IX Coordinator's Initial Determination.

a) The Title IX Coordinator shall investigate the allegations in all formal complaints. The Title IX Coordinator must dismiss the formal complaint if the conduct alleged in the formal complaint would not constitute sexual harassment as defined in this Policy even if proved, or is outside the jurisdiction of the College, i.e., the conduct did not involve an education program or activity of the College, or did not occur against a person in the United States. The Title IX Coordinator shall forward the formal complaint to an appropriate College official that will determine whether the conduct alleged in the formal complaint violates a separate policy or code of conduct.

b) The Title IX Coordinator may dismiss the formal complaint if (i) a complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any of its allegations and the Title IX Coordinator determines that the College will honor the request; (ii) the respondent is no longer enrolled or employed at the College, or cannot be identified; or (iii) specific circumstances prevent the College from gathering sufficient evidence to determine whether the respondent is responsible for the conduct alleged in the formal complaint. If a complainant requests to withdraw a formal complaint, the Title IX Coordinator will consider the factors listed in Section V1.

c) If the Title IX Coordinator dismisses the formal complaint, he or she will send written notice of the dismissal with specific reason(s) for the dismissal to the parties, simultaneously, within five (5) workdays of completing the initial meetings. This decision may be appealed.

6. Appointment of the Investigator and Conduct of the Investigation.

a) Appointment of Investigator. After an initial determination to continue the formal resolution process or after failed informal resolution process, the Title IX Coordinator will appoint an investigator within five (5) workdays of completing the initial meetings. The Title IX Coordinator will provide the investigator's name and contact information to the complainant and respondent and will forward the formal complaint to the investigator. Within five (5) workdays of such appointment, the investigator, the complainant, or the respondent may identify to the Title IX Coordinator in writing any potential conflict of interest or bias of the appointed investigator. The Title IX Coordinator will consider such information and will appoint a different investigator if it is determined that a material conflict of interest or bias exists.

b) Contacting the Parties. The investigator will contact the complainant and respondent promptly. In most cases, this should occur within ten (10) workdays from the date of the investigator's appointment. The investigator will schedule meetings with the parties. The parties may provide supporting documents, evidence, and

recommendations of witnesses, including character and expert witnesses, to be interviewed for the investigation. Each party may have one advisor present during any meeting with the investigator; however, the advisor may not speak on the party's behalf.

c) Weighing of Evidence. As part of the investigation, the investigator must weigh the credibility and demeanor of the complainant, respondent, and witnesses, and ensure that credibility determinations are not based on a person's status as a complainant, respondent, or witness; the logic and consistency of the evidence, motives, and any inculpatory and exculpatory evidence.

d) Withdrawal of a Student During an Investigation. The withdrawal of a student from the College while under investigation for an alleged act of sexual violence as defined by this Policy in most cases will not end the College's investigation and resolution of the complaint. The College shall continue the investigation, if possible, as set forth under this Policy. The College shall notify the student in writing of the investigation and afford the student the opportunity to provide evidence, to inspect, review, and respond to all the evidence and the written investigative report prior to making a determination on responsibility.

(1) Upon the student's withdrawal, the College shall place a notation on the student's academic transcript that states, "*Withdrew while under investigation for a violation of Northern Virginia Community College's Title IX Policy*." After the College has completed its investigation and resolution of the complaint, the College shall either (a) remove the notation if the student is found not responsible or (b) change the notation to reflect either a suspension or dismissal for a violation of the Policy if either was imposed.

(2) The College shall end the investigation and resolution of the complaint if the College cannot locate the respondent and provide him or her notice and the opportunity to respond. In such cases, the College shall maintain the withdrawal notation on the student's academic transcript. Upon a final determination, the Title IX Coordinator immediately shall notify the registrar and direct that the appropriate notation is made.

e) Inspection and Review of the Evidence. The parties will have the opportunity to inspect, review, and respond to all the evidence obtained during the investigation that is directly related to the allegations raised in the formal complaint, including the evidence upon which the College does not intend to rely in reaching a determination of responsibility and inculpatory or exculpatory evidence, whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation. The investigator will send each party and each party's advisor, if any, a copy of the evidence subject to review. The parties will have ten (10) workdays to submit a written response to the evidence and the option to submit additional evidence, which the investigator will consider prior to the completion of the investigative report. Neither the parties nor their advisors may disseminate any of the evidence subject to inspection and review or use such evidence for any purpose unrelated to the Title IX formal resolution process. Nevertheless, the College will not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence.

f) Investigative Report. The investigator will complete an investigative report that fairly summarizes relevant evidence, including but not limited to, all interviews conducted, photographs, descriptions of relevant evidence, the rationale for credibility determinations, summaries of relevant records, and a detailed report of the events in

question. The investigative report shall include the following information to the extent possible:

(1) The name and gender of the complainant and, if different, the name and gender of the person reporting the allegation;

(2) The names and gender of all persons alleged to have committed the alleged violation;

(3) A statement of the allegation, a description of the incident(s), and the date(s) and time(s) (if known) of the alleged incident(s);

(4) The dates of the report and formal complaint were filed;

(5) The dates the parties were interviewed;

(6) The names and gender of all known witnesses to the alleged incident(s);

(7) The dates that any relevant documentary evidence (including cell phone and other records as appropriate) was obtained;

(8) Any written statements of the complainant or the alleged victim if different from the complainant; and

(9) The date on which the College deferred its investigation and disciplinary process because the complainant filed a law enforcement complaint and the date on which the College resumed its investigation and disciplinary process, if applicable.

g) Submission of the Investigative Report. The investigator will submit the investigative report to the Title IX Coordinator, who will send the investigative report to the parties and the parties' advisors, if any, simultaneously for review and written response as soon as possible, but no later than five (5) workdays after receiving the investigative report from the investigator. The parties will have ten (10) workdays to submit a written response to the investigative report to the Title IX Coordinator. The Title IX Coordinator will not consider the parties' written responses but will ensure that such statements are added to the record. Neither the parties nor their advisors may disseminate the investigative report or use such report for any purpose unrelated to the Title IX formal or informal resolution process.

W. Conduct of Live Hearing

1. The Title IX Coordinator will appoint a Hearing Officer within ten (10) workdays after sending the investigative report to the parties and their advisors, if any. Within five (5) workdays after the appointment, the Hearing Officer will contact the parties to schedule a live hearing. The parties have five (5) workdays after being contacted by the Hearing Officer to notify the Title IX Coordinator in writing of any potential conflict of interest or bias of the Hearing Officer. The Title IX Coordinator will consider such information and will appoint a different Hearing Officer if the Title IX Coordinator determines that a material conflict of interest or bias exists. When the date, time, and place of the live hearing is confirmed, the Hearing Officer will notify the parties in writing simultaneously of the date, time, and place of the live hearing.

2. No later than fifteen (15) workdays before the live hearing, each party must notify the Hearing Officer and the other party of: a) the name and contact information of the advisor, if new, or notification that a party does not have an advisor available for the hearing, if applicable; b) the names and contact information of witnesses that will be called at the live hearing and the purpose of their testimony at the live hearing; c) whether a party intends to

be subjected to cross-examination; d) a description of documents or other evidence and the purpose of such evidence that will be used at the live hearing; e) the specific remedy requested; and, f) whether a party requests that the live hearing occurs with the parties located in separate rooms with technology that enables the Hearing Officer and the parties to see and hear the party or the witness answering questions simultaneously. Only one party is required to make the request for separate rooms.

3. The Hearing Officer will notify the Title IX Coordinator promptly that the College must appoint an advisor for a party when notified of the need for an advisor. The Title IX Coordinator will appoint the advisor promptly, but no later than ten (10) workdays prior to the live hearing. If a party appears at a live hearing without an advisor, the Hearing Officer shall delay the start of the live hearing until an advisor is available.

4. The Hearing Officer shall ensure that at all evidence obtained during the investigation is made available to the parties at the live hearing.

5. Rules of the Live Hearing.

a) Evidence. The formal rules of evidence will not be applied except to determine whether the evidence or question presented is relevant or cumulative.

(1) Either party may call character or expert witnesses.

(2) Questions and evidence about a party's sexual predisposition or prior sexual behavior are not relevant, unless:

(a) such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or

(b) the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.

(3) If the evidence or witness testimony is, on its face, not relevant or is cumulative, the Hearing Officer may exclude such evidence or witness statement(s), with the rationale for the decision in the pre-hearing determination. The parties may object in writing to such determination within five (5) workdays of the determination. The Hearing Officer shall rule on the objection within five (5) workdays of receipt of the objection.

b) Standard of Evidence. The live hearing will determine responsibility using the preponderance of the evidence standard.

c) Participation of Parties and Witnesses. Neither party may choose to waive the right to a live hearing, but parties and witnesses may choose whether to participate in the live hearing or submit to cross-examination.

d) Recording or Transcript. The Hearing Officer will arrange for the live hearing to be recorded. Each party will receive a copy of the recorded live hearing upon request. Parties may prepare a transcript of the recording at their own expense. Neither the parties nor their advisors may disseminate the record or transcript or use such record or transcript for any purpose unrelated to the Title IX formal resolution process or related civil proceeding.

e) Opening Statements and Closing Arguments. At the sole discretion of the Hearing Officer, the parties may make opening and/or closing statements at the live hearing. The Hearing Officer will determine the time that is allotted for each.

f) Pre-Hearing Determinations. No later than ten (10) workdays prior to the live hearing, the Hearing Officer shall decide (1) whether to exclude any of the proposed evidence or witnesses, and the basis upon which such evidence or witness is excluded; and (2) whether to allow opening statements and closing arguments and the time allotted for both.

g) Rules of Conduct During the Live Hearing. All live hearings will be closed to the public and witnesses will be present only during their testimony. For live hearings that use technology, the Hearing Officer shall ensure that appropriate protections are in place to maintain confidentiality.

(1) The College will require all parties, advisors, and witnesses to maintain appropriate decorum throughout the live hearing. Participants at the live hearing are expected to abide by the Hearing Officer's directions and determinations, maintain civility, and avoid emotional outbursts and raised voices.

(2) Repeated violations of appropriate decorum will result in a break in the live hearing, the length of which shall be determined by the Hearing Officer. The Hearing Officer reserves the right in his or her sole discretion to appoint a different advisor to conduct cross-examination on behalf of a party after repeated violations of appropriate decorum or other rules related to the conduct of the live hearing.

6. Role of the Advisor.

a) The role of the advisor at the live hearing is to conduct cross-examination on behalf of a party. The advisor is not to "represent" a party, but only to relay the party's cross-examination questions that the party wishes to have asked of the other party and witnesses so that parties never personally question or confront each other during a live hearing. A party shall not conduct cross-examination on his or her behalf.

b) Each party may retain an attorney at his or her expense or designate a non-attorney advisor to accompany him or her at the live hearing. The advisor may provide advice and consultation to the parties or the parties' witnesses outside of the conduct of the live hearing to assist parties in handling the formal resolution process.

c) A party's advisor must conduct cross-examination at the live hearing directly, orally, and in real time. Only relevant cross-examination questions and follow-up questions, including those that challenge credibility, may be asked. Advisors may not raise objections or make statements or arguments during the live hearing.

d) The College shall appoint an advisor for the live hearing at no cost to a party when the party does not have an advisor. The appointed advisor may be but is not required to be a licensed attorney or anyone with formal legal training. Advisors may be faculty, staff, students, or volunteers from the local community.

7. Role of the Hearing Officer.

a) The role of the Hearing Officer is to preside over the live hearing in a fair and impartial manner. After the live hearing, the Hearing Officer must issue a written determination regarding responsibility using the preponderance of the evidence standard of evidence. The Hearing Officer will be the final decision-maker on all matters of procedure during the live hearing.

b) Before a complainant, respondent, or witness answers a cross-examination or other question, the Hearing Officer first must determine whether the question is relevant or

cumulative and explain any decision to exclude a question that is not relevant or is cumulative.

c) The Hearing Officer may question the parties and witnesses, but they may refuse to respond.

d) The Hearing Officer may consider any relevant and reliable evidence, including statements of a party or witness, even if such party or witness does not submit to cross-examination at the live hearing. The Hearing Officer must first consider the reliability of any the statement. Factors to consider include, but are not limited to, whether a party or witness commented on or challenged the statement prior to the live hearing, whether the statement is a rumor or something of which the party or witness does not have first-hand knowledge, and whether the person who made the statement has a motive or a conflict of interest that can be demonstrated through other evidence. The level of reliability will determine the amount of weight the Hearing Officer will give to the statement when reaching a determination regarding responsibility. Additionally, the Hearing Officer must not draw an inference about the determination regarding responsibility based solely on a party's or witness's absence from the live hearing or refusal to answer cross-examination or other questions.

e) Within ten (10) workdays after the live hearing, or with good cause shown as soon as possible, the Hearing Officer will submit a written determination to the Title IX Coordinator. The Hearing Officer must make a finding of responsibility or non-responsibility for each allegation and describe the rationale for the finding based on an objective evaluation of the evidence presented at the live hearing. The written determination shall include the following:

(1) Identification of the allegations potentially constituting sexual harassment defined under this Policy;

(2) A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and live hearings held. The description of the procedural steps also should include who performed the investigation and the process taken to inspect and review the evidence and disseminate the investigative report, including the adherence to mandated procedural timelines;

(3) Findings of fact supporting the determination;

(4) Conclusions regarding the application of this Policy to the facts;

(5) A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any range of disciplinary sanction(s) to be imposed on the respondent, and whether (not which) remedies designed to restore or preserve equal access to the College's education program or activity will be provided to the complainant.

(6) When applicable, a statement that a notation will be placed on the academic transcript that the respondent was suspended or dismissed for a violation of the College's Title IX Policy.

(7) When applicable, a statement that the respondent may request the expungement of the notation on the academic transcript for good cause shown and after a period of three years.

(8) The College's procedures and permissible bases for the complainant and the respondent to appeal. If the complainant or respondent does not contest the finding or recommended sanction(s) and/or remedies and does not file an appeal within the required time frame, the written determination shall be final.

X. Actions Following the Written Determination

1. The role of the Title IX Coordinator following the receipt of the written determination from the Hearing Officer is to facilitate the imposition of sanctions, if any, the provision of remedies, if any, and to otherwise complete the formal resolution process.

2. The Title IX Coordinator must provide the written determination to the parties simultaneously, with a copy to Human Resources, Conduct Officer, and/or other College officials, as appropriate. The appropriate college official, after consultation with the Title IX Coordinator, will determine the sanction(s) imposed and remedies provided, if any.

3. The parties shall receive the final decision on the imposition of sanction(s), if any, and the provision of remedies, if any, simultaneously within ten (10) workdays of receipt of the written determination by the appropriate college official(s). The College must disclose to the complainant the sanction(s) imposed on the respondent that directly relate to the complainant when such disclosure is necessary to ensure equal access to the College's education program or activity.

4. The Title IX Coordinator shall confer as necessary with employees, community resources, or other support services that will provide such remedies.

5. Any sanctions to be imposed or remedies to be provided should begin after five (5) workdays of submitting the final decision unless a party files an appeal.

6. If the respondent is a third party, the Title IX Coordinator will forward the written determination to Vice President of Enrollment Management and Student Services. Within ten (10) workdays, the Vice President of Enrollment Management and Student Services shall determine and impose appropriate sanction(s), as described below. The respondent and the Title IX Coordinator shall receive written notification of sanction(s) in the final decision, if any. The Title IX Coordinator may disclose to the complainant information as described above.

Y. Appeals

1. Within five (5) workdays of receipt of the final decision, either party may appeal the Hearing Officer's written determination regarding responsibility and the final decision related to sanctions and remedies. The complainant also may appeal the College's dismissal of a formal complaint or any of its allegations therein within five (5) workdays of such dismissal. The appeal must be in writing and submitted to the Title IX Coordinator, who will appoint an Appeal Officer within five (5) workdays of receipt of the appeal. The Appeal Officer's decision is final.

2. The Appeal Officer will grant an appeal only on the following bases:

a) Procedural irregularity that affected the outcome of the matter;

b) New evidence that was not reasonably known or available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and,

c) The Title IX Coordinator, investigator(s), or Hearing Officer had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.

3. Within five (5) workdays of receipt of an appeal request, the Title IX Coordinator will notify the other party that an appeal has been filed and implement appeal procedures equally for both parties.

4. The Title IX Coordinator will compile the record, including the notice of allegations, evidence obtained, investigative report, live hearing recording, written determination, and final decision. The Title IX Coordinator shall forward the record with the appeal request to the Appeal Officer as soon as possible, but no later than ten (10) workdays of receipt of the appeal request.

5. The Appeal Officer must not be the Hearing Officer, the investigator, or the Title IX Coordinator and be free from conflict of interest and bias.

6. Upon receipt of the request for the appeal and the record, the Appeal Officer shall decide whether to grant the appeal, including the rationale for the decision, and notify the parties whether the appeal has been granted simultaneously. The decision shall be made within ten (10) workdays of receipt of the appeal request and record from the Title IX Coordinator.

7. If the Appeal Officer decides to grant the appeal, he or she will notify the parties that they have five (5) workdays to submit a written statement in support of, or against, the outcome of the written determination, final decision, or dismissal of the formal complaint. The Appeal Officer may grant additional time for good cause to both parties.

8. The Appeal Officer shall make the decision based on the record and the parties' written statements, if any. The Appeal Officer shall not receive additional statements or testimony from any other person.

9. The Appeal Officer shall issue a written determination of the result of the appeal and the rationale for such result within ten (10) workdays of receipt of written statements, if any. The Appeal Officer shall provide the written determination to the parties simultaneously.

10. At the conclusion of the appeal, the Title IX Officer shall facilitate the imposition of sanctions, if any, and the provision of remedies as provided in Section X.

Z. Informal Resolution Process

1. The informal resolution process is available under the following conditions:

a) The complainant has filed a formal complaint of hostile environment sexual harassment involving parties with the same status (e.g., student-student or employee-employee);

b) The Title IX Coordinator has completed the steps described in Sections V1 through V4; and,

c) The parties voluntarily request in writing to resolve the formal complaint through the informal resolution process.

2. Within five (5) workdays after the receipt of the written request to start the informal resolution process, the Title IX Coordinator will appoint a College official to facilitate an

effective and appropriate resolution ("Facilitator"). The Title IX Coordinator may serve as a Facilitator. Within five (5) workdays of such appointment (or receipt of the written request), the parties may identify to the Title IX Coordinator in writing any potential conflict of interest or bias posed by such Facilitator to the matter. The Title IX Coordinator will consider such information and will appoint another Facilitator if it is determined that a material conflict of interest or bias exists. Within five (5) workdays of the appointment (or receipt of the written request), the Facilitator will request a written statement from the parties to be submitted within ten (10) workdays. Each party may request that witnesses are interviewed, but the College shall not conduct a full investigation as part of the informal resolution process.

3. Within ten (10) workdays of receiving the written statements, the Facilitator will hold a meeting(s) with the parties and coordinate informal resolution measures. The Facilitator shall document the meeting(s) in writing. Each party may have one advisor of his or her choice during any meeting; however, the advisor may not speak on the party's behalf.

4. The informal resolution process should be completed within thirty (30) workdays in most cases, unless good cause exists to extend the time. The parties will be notified in writing and given the reason for the delay and an estimated time of completion.

5. Any resolution of a formal complaint through the informal resolution process must address the concerns of the complainant and the responsibility of the College to address alleged violations of the Policy, while also respecting the due process rights of the respondent. Informal resolution process remedies include mandatory training, reflective writing assignment, counseling, written counseling memorandum by an employee's supervisor, suspension, termination, or expulsion, or other methods designed to restore or preserve equal access to the College's education programs or activities.

6. At the conclusion of meetings, interviews, and the receipt of statements, the Facilitator will write a summary of such in a written informal resolution report and provide the parties with the informal resolution report simultaneously. The written informal resolution report shall include the notice of allegations, a meeting(s) summary, remedies provided, if any, sanctions imposed, if any, and whether the formal complaint was resolved through the informal resolution process. The Facilitator will forward the written informal resolution report to the Title IX Coordinator, when applicable.

7. At the conclusion of the informal resolution process, if the formal complaint was resolved to the satisfaction of the parties, the parties will provide a written and signed statement as such for the record. The decision will be final, and the matter will be closed.

8. At any time prior to resolving a formal complaint through the informal resolution process, either party may withdraw in writing from the informal resolution process and resume or begin the formal resolution process.

9. If the formal complaint is not resolved through the informal resolution process, the Title IX Coordinator shall begin the formal resolution process at Section V5 of this Policy.

10. The Facilitator shall not be a witness as part of the formal resolution process, but the written informal resolution report shall be part of the record.

AA. Sanctions & Corrective Actions

1. The College will take reasonable steps to address any violations of this Policy and to restore or preserve equal access to the College's education programs or activities. Sanctions for a

finding of responsibility depend upon the nature and gravity of the misconduct, any record of prior discipline for similar violations, or both.

2. The range of potential sanctions and corrective actions that may be imposed against a student includes but is not limited to the following: required discrimination or harassment education, a requirement not to repeat or continue the discriminatory, harassing, or retaliatory conduct, verbal or written warning, a no-contact order, written or verbal apology, verbal or written warning, probation, suspension, and expulsion from the College.

3. Sanctions for faculty and staff shall be determined in accordance with the VCCS Policy Manual and the Department of Human Resource Management Standards of Conduct, respectively. Possible sanctions and corrective actions include required discrimination or harassment education, informal or formal counseling, reassignment, demotion, suspension, non-reappointment, and termination from employment.

4. Third parties, e.g., contractors, or patrons from the general public, will be prohibited from having access to the campus. Depending on the violation, this prohibition may be permanent or temporary.

5. Sanctions imposed do not take effect until the resolution of any timely appeal. However, the College may keep in place any interim measures when necessary.

BB. Academic Transcript Notations and Expungement

1. If a student is found responsible for an act of sexual violence as defined by this Policy and is suspended or dismissed, the student's academic transcript shall be noted as follows: "Suspended/Dismissed for a violation of Northern Virginia Community College Title IX Policy." In the case of a suspension, the College shall remove such notation immediately following the completion of the term of suspension and any conditions thereof, and when the student is considered to be in good standing. The student shall be considered to be in good standing for the purposes of this section following the completion of the term of suspension and satisfaction of all conditions thereof. Upon completion of the suspension, the Title IX Coordinator (or designee) shall meet with the student to confirm completion of the conditions and upon such confirmation, direct the registrar to remove the notation from the student's academic transcript.

2. If a student withdraws from the College while under investigation involving an act of sexual violence as defined by this Policy, the student's academic transcript shall be noted as follows: "Withdrew while under investigation for a violation of Northern Virginia Community College Title IX Policy." Students are strongly encouraged not to withdraw from the College.

3. The College shall immediately remove the notation from the student's academic transcript upon a subsequent finding that the student is not responsible an offense of sexual violence as defined by this Policy. Upon such a finding, the Title IX Coordinator (or designee) shall direct the registrar to remove the notation from the student's academic transcript.

4. Notations on academic transcripts regarding suspensions and dismissals shall be placed on the student's academic transcript after resolution of any timely appeal.

5. The College shall expunge the notation from the academic transcript of any student for good cause shown and after a period of three (3) years.

a) Persons seeking to expunge the notation on an academic transcript shall submit a written request for expungement to the Associate Vice President of Student Supports no sooner than three years after the date the College placed the notation on the academic transcript.

b) The request for expungement must contain sufficient information to support a finding of good cause. For expungement purposes, good cause includes (1) the act of sexual violence did not involve serious bodily injury, the use of force, or threat, and the former respondent demonstrates remorse and/or rehabilitation; (2) the former respondent committed the Policy violation while under the age of 18 and the former respondent demonstrates remorse and/or rehabilitation; and, (3) any other reason that, in interest of justice, the notation should be expunged.

c) The Associate Vice President of Student Services shall issue a written decision and the rationale for such decision within ten (10) workdays of receipt the request.

d) If the request for expungement is denied, the former respondent may submit another request for expungement no sooner than three (3) years after the denial of the request. This decision is final.

CC. Training and Training Materials

1. Title IX Coordinator(s), investigators, Hearing Officers, Appeal Officers, and Facilitators for the informal resolution process must receive annual training, as appropriate, on the following topics:

a) The definition of sexual harassment;

b) The scope of the College's education programs or activities;

c) How to conduct an investigation and grievance process, including live hearings, appeals, and informal resolution processes, and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias;

d) The definition of relevance;

e) Investigative report writing; and,

f) Technology that may be used at live hearings.

2. College-appointed advisors receive training on the definitions of sexual harassment, consent, preponderance of the evidence, and relevance.

3. Training materials must not rely on sex stereotypes and will promote impartial investigations and adjudications of formal complaints of sexual harassment.

4. All training materials must be available on the College's website.

DD. Record Keeping

1. The Title IX Coordinator, Deputy Title IX Coordinator, if applicable, and any other employee as appropriate, e.g., HR Director, shall maintain in a confidential manner, for at least seven (7) years from the date of creation of the last record pertaining to each case, in paper or electronic files of the following:

a) The complete file for each sexual harassment investigation and formal resolution process, including (i) any determination regarding responsibility; (ii) any audio or

audiovisual recording or transcript of the live hearing; (iii) any disciplinary sanctions imposed on the respondent; and, (iv) any remedies provided to the complainant;

b) Records of any appeal and its result;

c) Records of any informal resolution process and its result;

d) All materials used to train Title IX Coordinators, investigators, Hearing Officers, Appeal Officers, and Facilitators for an informal resolution process.

2. Records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment. Records must explain why the College's response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to the College's education programs or activities.

3. If the College does not provide a complainant with supportive measures, then the College must document the reasons why such a response was not clearly unreasonable in light of the known circumstances, including whether such decision was made based on the complainant's request or desire for the College to take no action or to provide supportive measures.

4. The documentation of certain bases or measures does not limit the College in the future from providing additional explanations or detailing additional measures taken.

EE. Use of Template/Reports to System Counsel

All community colleges of the Virginia Community College System shall use this template. All reports of alleged incidents of sexual harassment shall be reported to the Office of System Counsel.

Title IX Participant Training

NOVA has developed trainings for employees who play a role in the Title IX grievance procedure. Those roles include investigator, advisor, hearing officer, appellate officer, and informal resolution facilitator. The training satisfies all of the requirements for such training set forth in the NOVA Sexual Harassment and Sexual Misconduct Policy, the May 2020 Title IX regulations, and VAWA. Training materials are available for review on NOVA's Title IX website located at the following link: https://www.nvcc.edu/titleix/training.html

Title IX related trainings include the below topics:

1. Trauma Informed Approach
2. Fundamentals of the Law
3. Formal Complaints
4. Investigations & Informal Resolutions
5. Hearings
6. Determinations
7. Appeals

Respondent's Rights and Options for those Accused of Sexual Misconduct

Sexual misconduct is unacceptable at Northern Virginia Community College. Reports of sexual harassment, sexual assault, dating/domestic violence, or stalking are taken seriously. It is important to NOVA that respondents are informed and provided due process.

NOVA's Sexual Misconduct Policy (Title IX Policy) is available here: http://www.nvcc.edu/titleix/index.html.

Any NOVA student, faculty member, or staff who is accused of sexual misconduct has the right to:

1. Information: The respondent has the right to be notified in writing of the complaint and the allegations as well of any immediate interim measures that impact the respondent. The respondent has the right to information regarding the status of the complaint against them, including the outcome of the campus investigation and any disciplinary action, the procedures to appeal a disciplinary action, and the outcome.

2. Confidentiality and discretion: Identifying information of a respondent will be protected as much as possible. Please be advised that identifying information will be shared with college officials who are in a "need to know" position because of their job responsibilities. All persons involved in a complaint of sexual misconduct are to respect the privacy of the individuals involved and must be mindful of sharing information with others. Your personal and identifying information may only be disclosed when: (1) it is necessary to protect the health or safety of the student or other individuals; (2) the information concerns conduct involving suspected abuse or neglect of a minor; or (3) as required by law.

3. A prompt, fair, and impartial investigation and resolution: The respondent has the right to a prompt, fair and impartial investigation and resolution of the incident, including an opportunity to present witnesses and other evidence. Collection and preservation of evidence is imperative to the integrity of the investigation and resolution process. Complainants have the right to file a formal complaint, which will automatically trigger an investigation assuming proper jurisdiction. Parties have the right to choose whether they would like to participate, however, the Title IX formal process can take place without a party's participation. NOVA's Title IX process also provides an informal resolution as well as the formal investigation and hearing. Contact the Title IX Coordinator to discuss the various options or review NOVA's Title IX policy for more information.

4. Standard of Evidence: The respondent will not be considered responsible for violating NOVA's Sexual Misconduct Policy unless they are found to be responsible by a Preponderance of the Evidence , in accordance with the procedures described in NOVA's Sexual Misconduct Policy.

5. Interim Measures: At the complainant's request or if the College determines that safety issues are of a concern or the presence of the respondent may jeopardize a supportive learning environment, NOVA may take immediate and interim measures to change a class/work assignment or working relationship. Other interim measures may include interim suspension, restricting campus or college access, exclusion from participating in student/employee activities or representing the college in any capacity, including required absence with/without pay. Also, a **No Contact Order** may be issued , so that the respondent and the complainant will be separated from each other to the greatest extent possible. These interim measures will not be considered in determining whether or not the respondent is responsible for the alleged sexual misconduct, and such interim actions will not prejudice the respondent under investigation.

6. Sanctions: The respondent has the right to know the potential sanctions that may be imposed if they are found responsible for violating the Sexual Misconduct Policy.

• **For students ,** these sanctions are described in the Student Code of Conduct and may include, but are not limited to, admonitions, educational sanction, probation, suspension, and/or dismissal from the College.

• **For faculty,** the sanctions will be imposed in accordance with the VCCS and DHRM policies and procedures. Examples of possible sanctions: educational sanction, Counseling Memo, a Letter of Reprimand, Suspension, nonreappointment, dismissal, and/or termination from employment.

• **For classified staff ,** sanctions will be imposed in accordance with the DHRM Standards of Conduct Disciplinary process.

If the respondent is a student and they are found responsible for sexual violence per NOVA's Title IX Policy, the student's academic record shall be noted as follows: "Suspended/Dismissed for a violation of the NOVA Title IX policy." If the respondent withdraws while under investigation, the investigation may continue in the respondent's absence. If possible the respondent will be provided an opportunity to respond to the evidence, and be notified of the outcome.
If the respondent is a faculty member or classified staff and they are found responsible for violating NOVA's Sexual Misconduct Policy (Title IX) , any disciplinary action, up to and including termination, will be in accordance with VCCS and DHRM policies and procedures. If the respondent resigns while under investigation, the investigation may continue in the respondent's absence. If possible, the respondent will be provided an opportunity to respond to the evidence and be notified of the outcome.

8. **An Advisor:** The respondent has the right to choose an advisor to support and accompany them at all times throughout the College proceedings. The advisor may be a friend, mentor, family member, attorney, or any other supporter of their choice. The advisor may support the respondent, but may not represent them nor speak for the respondent. To avoid any potential conflict of interest, advisors who are NOVA employees must have no other role or job responsibilities in the Title IX process. All persons involved in a complaint of sexual misconduct are to respect the privacy of the individuals involved and must be mindful of sharing information with others.

9. **Request Accommodations or Support Services**: A respondent may request a change in academic setting (class or campus) or work assignment in order to be more clearly separated from the complainant. Requests, when reasonable, will be granted in accordance with College policies and procedures and as soon as alternative arrangements can be reasonably made. Students should make their request to the Title IX Office. If financial aid may be impacted, the respondent may contact the Title IX Office for assistance. Faculty and staff may request accommodations by contacting the Title IX Office or Human Resources.

10. **Retaliation Concerns:** Threats, intimidation, and any form of retaliation for reporting an incident of sexual misconduct, or participating in a Title IX Resolution Process are prohibited by the Sexual Misconduct Policy as well as by Federal law and may be grounds for disciplinary action. If any retaliation occurs, it is important to contact the Title IX Office.

11. **Community Resources:** Since NOVA does not offer mental health care it is important to be aware of community resources that are free, low cost, and confidential. Seeking appropriate and necessary mental health and medical assistance can be paramount to handling allegations such as these.

• **Low Cost Healthcare Resources in Northern Virginia, including Alexandria, Loudoun, and Prince William County:** **http://www.fairfaxcounty.gov/hd/pcs/pcspdf/safety-net-contacts-revised.pdf**

• **Virginia Health Care Foundation: free clinics**
http://www.vhcf.org/looking-for-help/medical-care/free-clinics/
http://www.vhcf.org/looking-for-help/mental-health-care/

• **Fairfax Mental Health:** provides reduced fee mental health services to college students on a sliding scale. **http://www.fairfaxmentalhealth.com/**

• **College Police**: 703-764-5000
Have jurisdiction over incidents that occurred on campus. This may also trigger NOVA's administrative processes.

• **Local Police Department:** 911
Have jurisdiction over incidents that occurred off campus. This may not involve NOVA's administrative processes.

Additional Resources for Faculty and Staff:

Please refer to your health benefits program and contact the appropriate Employee Assistance Program for information on available services and free counseling at:
http://www.dhrm.virginia.gov/employeeprograms/employeeassistance

Mental Health Resource Guide:
http://www.dhrm.virginia.gov/docs/default-source/hr/mentalhealthcrisisresources.pdf?sfvrsn=4

NOVA Victim's/Complainant's Rights

Victims' (Complainants') Rights, Options, and Resources

(For those who report sexual harassment, sexual assault, dating/domestic violence, or stalking)

If you or someone you know has experienced sex discrimination, sexual harassment, sexual assault, dating violence, domestic violence, or stalking, NOVA is here to help. Sexual misconduct, the umbrella term for the above, is unacceptable at Northern Virginia Community College. Reports of sexual harassment, sexual assault, dating/domestic violence, or stalking are taken seriously. It is important to NOVA that victims (complainants) are informed, protected, and respected. Northern Virginia Community College's Policy on Sexual Harassment and Sexual Misconduct (Title IX Policy) is available at http://www.nvcc.edu/titleix/index.html.

The following rights are afforded to any NOVA community members as well as any visitors who experiences such an incident. It is NOVA's hope that these rights will provide you with adequate information from which to choose your options.

REPORTING OPTIONS. Each person's experience is unique and numerous options are available for support and reporting. Victims have the right to choose whether they would like law enforcement involvement unless the report triggers a mandated report. At NOVA, there are several offices to report an incident if you choose to do so. In an emergency, call 911.

College Police – 703.764.5000 To report an incident that occurred **on** campus and begin a criminal investigation. This may also trigger the college's administrative processes. Any timely warning that is broadcast through NOVA websites or emails for the safety of our community will not identify a victim. Timely warnings are triggered when NOVA Police determines that someone presents a serious or continuing threat to the NOVA community.

Local Police Department – 911 To report an incident that occurred **off** campus and begin a criminal investigation that may not involve college administrative processes.

NOVA's Title IX Office –703.323.2262 or titleix@nvcc.edu.To report an incident, seek academic or other accommodations, seek assistance when your Financial Aid is impacted, and discuss your administrative investigation or informal resolution options to address the incident. Complainants have the right to file a formal complaint, the complaint form can be found here: https://www.nvcc.edu/forms/pdf/125-018.pdf. Filing a formal complaint will automatically trigger an investigation assuming proper jurisdiction.

Human Resources – 703.323.3110 or employeerelations@nvcc.eduTo report an incident involving an employee (faculty, staff) or contractor that is not sexual misconduct; NOVA Police may also be called to begin such an investigation.

CONFIDENTIALITY. Identifying information of a victim will be protected as much as possible. This means that a victim's name will not be published or otherwise publicized without their permission unless required by law. When a person makes an official complaint to authorities, all possible protections will be afforded this individual, whether or not they participate in any investigation. When the College needs to act to protect the safety of others, absolute confidentiality may not be possible. Your personal and identifying information may only be disclosed when: (1) you give written consent for its disclosure; (2) it is necessary to protect the health or safety of the student or other individuals; (3) the information concerns conduct involving suspected abuse or neglect of a minor; or (4) as required by law.For absolute confidentiality, contact NOVA's Confidential Victim Advocate at 703.323.2136.

FAIR AND IMPARTIAL INVESTIGATION AND RESOLUTION. You can expect a fair and just process as your complaint is handled. For more information, go to http://www.nvcc.edu/titleix/get-help.html. Parties have the right to choose whether they would like to participate, however, the Title IX formal process can take place without a party's participation.

NO CONTACT or PROTECTIVE ORDERS. The College will honor any protective order that you may have acquired through the local courts. Please bring a copy of such a court order to the College Police for their information and enforcement. In addition, a NOVA administrative no contact order may be created by the Office of Rights and Responsibilities or Title IX Coordinator once an incident is reported.

PRESERVING PHYSICAL EVIDENCE. It is extremely important to preserve all evidence of an assault. If you go to a hospital as a result of a penetrating sexual assault or physical dating/domestic violence, you are entitled to a free evidence collection examination called a FACT exam. FACT stands for Forensic Assessment and Consultation Team. In Northern Virginia, the preferred hospitals for such an exam are INOVA Fairfax in Fairfax CO and Sentara Hospital in

Prince William CO, where they have specially trained nurses on call 24 hours a day for such purposes. The FACT nurse will collect the evidence and ask the police in the jurisdiction where the crime occurred to pick it up and store it for at least six months. The evidence will be in a box marked only with a number, not your name. You are not required to make an official police report for this evidence to be collected. If you later decide to make such a report, the hospital will give your name to the police and the evidence kit will be tested for possible use in a court case. For more information about how to preserve evidence, contact NOVA Police at 703.764.5000 or NOVA's Confidential Victim Advocate at 703.323.2136.

REQUESTS FOR CHANGES OR SUPPORT/INTERIM MEASURES. Regardless whether you file a formal complaint, you may request a change in academic setting (class or campus) or work assignment to be more clearly separated from the respondent (the accused). These requests should be made to the Title IX Coordinator (if you are a student) or the Director of Human Resources (if you are an employee).

RETALIATION CONCERNS. Threats, intimidation, and any form of retaliation for bringing a complaint of sexual misconduct are prohibited by the Sexual Misconduct Policy as well as Federal law and may be grounds for disciplinary action. If any retaliation occurs, it is important to contact either the College Police, the Title IX Coordinator, and/or Human Resources.

COMMUNITY RESOURCES. NOVA does not offer mental health counseling to students or employees, however there are many community resources that are both free and confidential. Most offer 24-hour services. It is best to choose the service listed below that is closest either to your home or your campus. Every student can use NOVA's Confidential Victim Advocate, no matter where you live, work, or study.

Alexandria Sexual Assault Center: 703.683.7273
Alexandria Domestic Violence Shelter: 703.746.4911
Alexandria Domestic Violence & Sexual Assault Wallet Resource Guide
Fairfax County – Office for Women and Domestic and Sexual Violence Services: 703.360.7273
Loudoun Abused Women's Shelter/LAWS: 703.777.6522 Prince William ACTS: 703.221.4460

The NOVA *Victim's (Complainants') Rights, Options, and Resources* when received constitutes the written explanation of a student's or employee rights and options when they have been a victim of dating violence, domestic violence, sexual assault, or stalking whether the offense occurred on or off campus and accommodations which can be requested by the victim of such crimes regardless if they choose to report it to law enforcement as required by VAWA.

Upon written request NOVA will disclose to the alleged victim of a crime of violence or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by NOVA against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph.

Sex Offender Registry and Access to Related Information

The federal Campus Sex Crimes Prevention Act of 2000, enacted on October 28, 2000 and effective on October 28, 2002, requires institutions of higher education to issue a statement advising the campus community where law enforcement agency information provided by a state concerning registered sex offenders may be obtained. The Virginia State Police website, *www.vsp.state.va.us*, provides information about registered sex offenders in the Commonwealth. Once you are on this website, click on Sex Offender Registry.

If Sexual Assault Happens to You

- Get to a safe place as soon as possible.
- Call 911.
- Notify the college police if the incident occurred on campus. College faculty and staff members can also assist you in reporting an incident.
- Try to preserve all physical evidence. Do not bathe or change clothes.
- Contact someone to stay with you and support you.
- Get medical attention as soon as possible and inform the responders you have been a victim of a sexual assault so appropriate evidentiary safeguards can be exercised.

Mandatory Reporting of Child Abuse

While everyone should be concerned about child abuse and neglect, certain individuals are required by law to report suspected instances. In 2012, the Virginia General Assembly (SB 239) added "**any person employed by a public or private institution of higher education**" to the list of "**mandated reporters**" set out in §63.2-1509 of *the Code of Virginia*. Mandated reporters, including all NOVA faculty and staff, are those persons who in their professional or official capacity, are required to report instances of suspected child abuse and neglect to the local Social Service Department or to the Virginia Department of Social Services (DSS). The toll-free child abuse and neglect hotline is 1.800.552.7096 and the on-line portal link is https://www.dss.virginia.gov/abuse/mrportal.cgi. NOVA's Department of Human Resources Policy 410 (Reporting Child Abuse or Neglect) can be found at the following link: Policy 410 and the procedures for reporting child abuse or neglect can be found at the following link: Procedures 401P

The *Code of Virginia* §63.2-100 defines an abused or neglected child as any child under 18 years of age whose parent or any person responsible for his or her care:

- Causes or threatens to cause a non-accidental physical or mental injury,
- Has a child present during the manufacture of a controlled substance or during the unlawful sale of such substance where such activity would constitute a felony violation,
- Neglects or refuses to provide adequate food, clothing, shelter, emotional nurturing, or health care,
- Abandons the child,
- Neglects or refuses to provide adequate supervision in relation to a child's age and level of development,
- Knowingly leaves a child alone in the same dwelling with a person, not related by blood or marriage who had been convicted of an offense against a minor for which registration is required as a violent sexual offender, or
- Commits or allows to be committed any illegal sexual act upon a child, including incest, rape, indecent exposure, prostitution, or allows a child to be used in any sexually explicit visual material

Medical Care

Victims of very recent sexual assaults (within 72-96 hours) are entitled to go to the emergency room of a local area hospital for a physical exam and the collection of evidence at no cost to the victim. At the hospital, a qualified nurse (called a Sexual Assault Nurse Examiner or "SANE") will examine the victim for sexually transmitted diseases, physical trauma, possible pregnancy, and to collect evidence for possible prosecution. A victim may receive an examination by a SANE whether or not he or she chooses to make an official police report of the incident at that time. If the victim decides not to go to a hospital, he or she should seek medical attention from a private clinic for a health and safety examination, whether or not injuries are known. SANE services are only available at Fairfax INOVA and Sentara hospitals. Other listed hospitals would be able to provide medical care service.

Local Area Hospitals

Inova Alexandria Hospital
4320 Seminary Road
Alexandria, VA 22304
703.504.3000

Inova Fairfax Hospital
3300 Gallows Road
Falls Church, VA 22042
703.698.1110

Inova Fair Oaks Hospital
3600 Joseph Siewick Drive
Fairfax, VA 22033
703.391.3600

Loudoun Hospital Center
44045 Riverside Parkway
Leesburg, VA 20176
703.858.6000

Mount Vernon Hospital
2501 Parker's Lane
Alexandria, VA 22306
703.664.7000

Northern Virginia Community Hospital
601 S. Carlin Springs Road
Arlington, VA 22204
703.671.1200

Sentara Northern Virginia Medical Center
2300 Opitz Boulevard
Woodbridge, VA 22191
703.670.1313

Prince William Hospital
8700 Sudley Road
Manassas, VA 20110
703.369.8000

Reston Hospital Center
1850 Town Center Parkway
Reston, VA 20190
703.689.9000

Virginia Hospital Center
1701 N. George Mason Drive
Arlington, VA 22205
703.558.5000

Inova Psychiatric Assessment Center (IPAC)
8221 Willow Oaks Corporate Drive
Suite 4-420
Fairfax, VA 22031
703.289.7560

Educational Programs about Sexual Assault Prevention and Related Issues

Each campus offers a variety of programs for students seeking information on date rape prevention, sexual harassment, substance abuse, safety and security, domestic violence and common sense survival tips. NOVA has trained Green Dot facilitators, who provide programs on bystander intervention response and prevention topics. NOVA police officers, as well as the Office of Wellness and Mental Health staff, are available to do presentations for any class or college activity. Additionally, the Office of Wellness and Mental Health is available to assist sexual assault victims in receiving specialized counseling or mental health consultation from community agencies.

Additional assistance may be obtained through the following community resources:

- **Alexandria Sexual Assault Center**
  24-Hour Hotline: 703.683.7273
- **Fairfax County Victims Assistance Network**
  24-Hour Hotline: 703.360.7273
- **Sexual Assault Victims' Advocacy Service (SAVAS)**
  24-Hour Hotline: 703.368.4141
  Woodbridge: 703.497.1192
  Manassas: 703.361.0486
- **LAWS (Loudoun Abused Women's Shelter)**
  703.777.6552

Code of Student Conduct, Rights, and Responsibilities

NOVA is a learning community with specific expectations concerning the conduct of its students. The College's approach to student learning and student conduct is to provide a safe and supportive learning environment that promotes teaching, learning and student success. When a student's conduct adversely affects the College's pursuit of its educational objectives, actions will be taken to remedy the situation. NOVA's approach will be to resolve the problem and to help students learn to make better decisions. It is the College's goal that when students experience the conduct process, they will leave that process as better educated students, better all-around members of the College community, and better global citizens. In accord with this general philosophy, efforts will be made to resolve discipline issues informally where possible.

By enrolling at NOVA, a student accepts its policies and procedures and acknowledges the right of NOVA to take action, up to and including suspension or expulsion in response to misconduct. It is a student's responsibility to become familiar with the student code of conduct. Lack of awareness is no excuse for noncompliance with NOVA's policies and procedures

The link to the NOVA Student Code of Conduct is
https://www.nvcc.edu/students/handbook/conduct.html.

Definitions

The terms "**College," "institution" and "NOVA**" mean Northern Virginia Community College.

The term "**preponderance of the evidence**" means "more likely than not" that a violation occurred as alleged.

The term "**accused student**" means any student accused of violating the Student Code of Conduct.

The term **"complainant**" means any individual that submits a complaint alleging that a student violated the Student Code of Conduct. The complainant does not need to be the person who was the target or victim of the alleged violation.

The term "**advisor**" means any individual that has been designated by the accused student to assist them through the hearing process. This individual may include, but is not limited to, a member of the campus community, parent, guardian, relative, friend, or attorney.

The term "**college premises**" includes all land, buildings, facilities, and other locations owned, used or controlled by the College including adjacent streets and sidewalks.

The term "**college sponsored activity**" means any activity on or off campus which is initiated, authorized, aided, or supervised by the College.

The term "**VCCS**" means Virginia Community College System.

The term **"member of the College community**" includes any student, faculty member, administrator, other employee, contractor, or guest at Northern Virginia Community College.

The term "**Dean of Students"** should be understood to include the ELI Director of Student Services and the Associate Vice President of Workforce Development, who have responsibility for overseeing the student conduct process in their respective areas. The Dean may designate a campus conduct officer or other official to act for the Dean in the conduct process.

The term "**sanction**" means a penalty that may be imposed after a student has been found responsible for violating the Student Code of Conduct. Any sanction imposed at the campus level applies to the entire College.

The term "**policy**" means the written regulations of NOVA as found in, but not limited to, the Student Code of Conduct, the online Student Handbook, the College catalog, administrative directives, and the NOVA website.

The term "**due process**" means a guarantee that all proceedings related to the student code of conduct will be fair and that students will be given notice of the proceedings and an opportunity to be heard before the College acts to take away their rights and privileges.

The term "**Student Conduct Panel**" means any person or persons appointed to determine whether a student has violated the Student Code of Conduct and to recommend sanctions that may be imposed when a student has been found responsible for a violation.

The term "**witness**" means an individual or individuals who have had direct involvement in an incident and/or who were provided with information regarding the incident directly from the accused student, alleged victim, or both. This also includes individuals who in their professional capacity have contributed information which led to College charges.

The term "**grievance**" means an actual or supposed circumstance regarded as just cause for complaint. See the [Student Grievance Policy].

The term "**student**" means an individual who has applied for admission to the College and has registered for classes. An individual is considered an active student for a period of three years following the last enrollment.

The term **"appeal**" means the process for requesting a formal change to an official decision. In most circumstances an appeal connotes a review of the written documentation or record of the original hearing.

The term "**evidence"** means the use of testimony (e.g., oral or written statements), exhibits (e.g., physical objects), documentary material, or demonstrative evidence related to the incident leading to the charge(s).

Student Rights

Northern Virginia Community College seeks to maintain an environment where students have the following rights:

Education

Students have access to quality faculty, academic technology, classrooms, libraries, presentations and other resources necessary for the learning process.

Freedom of Expression
Students can freely examine and exchange diverse ideas in an orderly manner inside and outside the classroom.

Freedom of Association
Students can associate freely with other individuals, groups of individuals and organizations for purposes which do not infringe on the rights of others.

Freedom from Discrimination
Students can expect to participate fully in the College community without discrimination as defined by federal and state law and College regulations.

Safe Environment
Students can function in their daily activities without unreasonable concerns for personal safety.

Privacy
Students are free of unreasonable intrusions into personal records and/or matters relevant to their identity and well-being.

Educational Resources
Students can access high quality resources which support intellectual and social development.

Grievance Process
Students can access established procedures for respectfully presenting and addressing their concerns or complaints to the College.

Due Process
Students can expect due process for alleged violations of the Student Code of Conduct. Due process includes reasonable notice of potentially adverse actions and an opportunity to be heard.

Learning Beyond Formal Instruction
Students can access a variety of activities beyond the classroom which support intellectual and personal development.

Personal Growth
Students can study in a setting that fosters personal growth.

Professional Responses from Administration
Students can expect timely and courteous responses from the College's academic and administrative departments.

Academic and Administrative Policies
Students can expect academic and administrative policies that support intellectual inquiry, learning and growth.

Participation
Students have the right to participate or be represented by peers in influencing College policies that affect them.

Student Responsibilities

Students enrolling in the College assume an obligation to conduct themselves in a manner that is civil and compatible with the College's function as an educational institution. Submitting an application to NOVA represents a voluntary decision on the student's part to participate in the programs offered by the institution pursuant to its policies, rules, and regulations. Violating any of NOVA's core values may lead to disciplinary action.

NOVA's Core Values

Integrity

NOVA students exemplify honesty and a respect for truth in all their dealings.

Community

NOVA students honor and value their community.

Civility

NOVA students show respect for each other, for property, and for all members of the community.

Accountability

NOVA students are given and accept a high level of responsibility as role models.

Academic Integrity

NOVA students exemplify honesty and integrity in all their academic work.

Reporting Violations

Any member of the NOVA community, guest, or visitor may submit a report about a student for alleged violations of the Student Code of Conduct. Reports may be submitted at [Office of Wellness and Mental Health]. All reports should be submitted as soon as possible after the event takes place. Charges may be brought against an individual student or a College organization.

Administrative Responsibilities

- Disciplinary procedures for students in all credit courses are administered by the Dean of Students or NOVA Online Director of Student Services in consultation with the campus Dean of Students.
- Disciplinary procedures for Workforce Development students are administered by the Associate Vice President for Workforce Development, who may consult with the Dean of Students as necessary.
- Disciplinary procedures for charges occurring on multiple campuses are coordinated by the Associate Vice President for Student Services and Enrollment Management.
- Disciplinary procedures for minor and moderate instances of academic misconduct are administered by the appropriate Academic Dean. Major violations are addressed by the Dean of Students, NOVA Online Director of Student Services, AVP for Workforce Development, or AVP for Student Services and Enrollment Management as appropriate. See the Code of Academic Integrity.
- Students will be charged with violations of the Code of Conduct when the apparent infractions are observed on College property or other locations where the College provides services or when the off-campus behavior negatively affects the teaching and learning environment.

Infractions of federal, state or local laws occurring off campus may be considered a violation of the Student Code of Conduct when such actions:

- directly affect the health, safety or security of the College community
- affect an individual's ability to fully participate in the College's academic or co-curricular programs
- affect the College's pursuit of its educational purposes, or

- occur as a direct result of a College connected disruption

Interim Actions

Depending on the nature of the alleged misconduct, interim actions may be taken as deemed necessary for the safety of the College community. Examples include, but are not limited to, interim suspension, no-trespass orders, and administrative no-contact orders between individuals or groups. When possible, alternative arrangements will be made for the student to continue to meet academic requirements. The College may also withhold the award of a student's degree or certificate until the completion of the conduct process.

An instructor or other College official may direct a student to leave a class or any other academic setting when the student has, in the instructor's or official's judgment, caused a disruption. An Academic Dean may bar a student from that class or setting for a longer period of time pending a meeting with the Dean of Students; in that instance, alternative arrangements will be made for the student to continue to meet academic requirements whenever possible.

Violations and Sanctions

When a student is found responsible for violating the Code of Conduct, sanctions will be imposed. Disciplinary sanctions generally attempt to accomplish the following:

1) provide fair and just consequences for misconduct
2) provide protection for the safety and property of the college community
3) enhance the academic environment
4) discourage future violations of the Code of Conduct
5) contribute to the growth and development of the student.

Any sanction imposed applies to the entire College

There are two types of sanctions -- administrative and educational. Administrative sanctions are more formal actions and frequently relate to the status of the student at the College. Administrative sanctions may be assigned independent of or in conjunction with educational sanctions. Educational sanctions are designed to include developmental activities related to specific acts of misconduct. The goals of educational sanctions are to reduce the probability of repeat behavior, to give students the opportunity to demonstrate personal growth, and to appropriately challenge students. Educational sanctions may be assigned independent of or in conjunction with administrative sanctions.

Sanctions may include but are not limited to:

Administrative Sanctions

Disciplinary Warning: A warning to a student that his/her conduct was questionable and/or inappropriate and that further misconduct will result in more severe disciplinary action. Disciplinary warning may include a behavior agreement or contract.

Disciplinary Probation: Disciplinary probation is assigned for a specified period of time and is intended to foster reflection, responsibility, and improved decision making. During this period the student is not in good standing with the College. The terms of probation may include restrictions of student privileges and/or set specific behavioral expectations. Misconduct while on probation or failure to comply with any conditions or to complete any assignments related to the probation may lead to more severe disciplinary action, including suspension or expulsion.

Suspension: Disciplinary suspension of the student from the College is assigned for a specified period of time that excludes the student from registration, class attendance, and use of College facilities. During the period of disciplinary suspension, the student will be prohibited from using or visiting College facilities unless special permission is obtained from the DOS or a designee.

Deferred Suspension: Deferred suspension is for a specified period of time. During the time of deferred suspension, involvement at the College is restricted to academic activities. A student under deferred suspension who is found responsible for further violations of the Student Code of Conduct will be immediately suspended or expelled.

Expulsion: Expulsion of a student from the College is permanent and requires administrative review and approval by the President. A student who is expelled from the College is prohibited from using or visiting College facilities unless permission is obtained from the Dean of Students.

Educational Sanctions

Apology Letter: May be assigned to students whose behavior had a negative impact on a particular individual or business more so than the community at large (i.e. theft).

Community Service or Service Learning Experience: May be assigned to students whose behavior or pattern of behavior disrupted the community in some way.

Counseling: (substance abuse, anger management, etc.). May be assigned to students whose behavior or pattern of behavior dictates a need for therapeutic rather than educational intervention.

Interview With Relevant Staff Member and Reflection Paper: May be assigned to students whose behavior indicated a need for education on a particular subject on which a College staff member is knowledgeable.

Reaction/Reflection/Research Paper: May be assigned to students who have engaged in a Code violation as a way of fostering reflection and explanation in a way that will benefit their future decision making.

Review Relevant Article, Book, Workshop, Program or Movie and Reflection Paper: May be assigned to students whose behavior violated the Code as a way of fostering exploration of a particular topic followed by reflection on the topic and how it relates to them.

Restitution: May be assigned to students whose behavior reflects damages to or misappropriation of property. Restitution may include, but is not limited to, reimbursements, compensation, and service.

1. Integrity – NOVA students exemplify honesty, integrity and a respect for truth in all their dealings.

Behavior that violates this value includes but is not limited to:

Charge Code Number	Charge Code
1.01	Furnishing false information to any NOVA official, faculty member or office, including falsification of documents

1.02	Alteration or misuse of any NOVA document, record or instrument of identification
1.03	Violations of positions of trust or authority within the community
1.04	Misuse or unauthorized use of the NOVA name and/or graphic
1.05	Stealing or possessing stolen property
1.06	Selling or attempting to sell textbooks or other personal property without permission of the owner
1.07	Taking items belonging to NOVA or an auxiliary enterprise affiliated with NOVA
1.08	Violating NOVA's online security policy

Possible Administrative Sanctions:

Level of Violation	Minimum Sanction	Maximum Sanction
Minor	Disciplinary Warning	Disciplinary Probation
Moderate	Disciplinary Probation/Deferred Suspension	Suspension
Major	Suspension	Expulsion

Possible Educational Sanctions:

Counseling, reflection paper, community service, ethics seminar, research paper, review relevant article, restitution, policy review paper, interview key staff, behavior contract/agreement

2. Community – NOVA students honor and value their community.

Behavior that violates this value includes but is not limited to:

Charge Code Number	Charge Code
2.01	Unruly, disrespectful, or disruptive behavior inside or outside the classroom
2.02	Obstructing the free flow of pedestrian or vehicular traffic on NOVA premises or at NOVA sponsored activities
2.03	Participating in or inciting a riot, disorderly assembly or demonstration
2.04	Unruly, disrespectful, or disruptive behavior outside of the classroom including at Student Life activities, College sponsored trips, etc.

2.05	Damage to or littering NOVA grounds and/or properties owned or leased by the College
2.06	Violations against property such as graffiti or automobile defacement
2.07	Possession of firearms, explosives, other weapons (as defined by the weapons policy at www….) or dangerous chemicals while on campus unless properly authorized
2.08	Violations of College policy by smoking in any College facility or within 25 feet of any College building
2.09	Violation of College or classroom policy by unauthorized use of electronic devices in the academic setting
2.10	Unauthorized entry into or presence in or on any College building or facility

Possible Administrative Sanctions:

Level of Violation	Minimum Sanction	Maximum Sanction
Minor	Disciplinary Warning	Disciplinary Probation
Moderate	Disciplinary Probation/Deferred Suspension/Removal from class	Suspension
Major	Suspension	Expulsion

Possible Educational Sanctions:

Counseling, community service, reflection/research paper, review relevant article, restitution, alcohol/drug education program, letter of apology, policy review paper, interview key staff members, anti-hazing workshop, risk management education, ethical decision making program, student success programs.

3. Respect – NOVA students show respect for each other, for property and for all members of the College community.

Behavior that violates this value includes but is not limited to:

Charge Code Number	Charge Code
3.01	Speech or behavior which threatens or endangers the health or safety of any person
3.02	Verbal abuse or bullying

3.03	Creating or contributing to an intimidating or hostile environment for any member of the NOVA community
3.04	Discriminatory harassment, including speech, actions or conduct which has the intent or effect of depriving a member of the community of educational access benefits or opportunities.
3.05	Physical Stalking, or cyber stalking, defined as repetitive, menacing pursuit, following harassment and/or interference with the peace and/or safety of a member of the NOVA community
3.06	Hazing as defined as the practice of rituals and other activities involving harassment, abuse or humiliation used as a way of initiating a person into a group
3.07	Sexual misconduct, including but not limited to sexual harassment, non-consensual sexual conduct, or sexual exploitation.
3.08	Lewd or obscene conduct including but not limited to public urination, sexual acts performed in public, surreptitiously taking pictures of another person in a locker room or restroom or other location where privacy is expected, possession or distribution of child pornography, possession or distribution of any obscene materials, excessive use of profanity
3.09	Dating or domestic violence

Possible Administrative Sanctions:

Level of Violation	Minimum Sanction	Maximum Sanction
Minor	Disciplinary Warning	Disciplinary Probation
Moderate	Disciplinary Probation/Deferred Suspension	Suspension
Major	Suspension	Expulsion

Possible Educational Sanctions:

Counseling, community service, coordinate/attend multicultural program, reflection/research paper, review relevant article, restitution, policy review, interview staff member, letter of apology, attend sexual assault program, anti-hazing workshop, alcohol/drug education program, present to peers on selected topics

Students who have been suspended, permanently dismissed, or have withdrawn from a college while under investigation for an offense involving sexual violence under the college's sexual misconduct policy will have a notation stating either "Suspended/Dismissed for a violation of, or withdrew while under investigation for a violation of [the name of the College's] sexual misconduct policy" placed on their permanent records. Colleges may place a statement on the transcript, which shall state “Misconduct Dismissal.” Students under investigation for sexual violence will have an XIT Service Indicator placed on their SIS record.

4. Accountability – NOVA students are given and accept a high level of responsibility as role models.

Behavior that violates this value includes but is not limited to:

Charge Code Number	Charge Code
4.01	Violations of campus and College emergency regulations, i.e. failure to comply with emergency evacuation procedures, tampering with fire protection apparatus, etc.
4.02	Failure to comply with the directions of NOVA officials, including campus police officers and others acting in the performance of their duties and/or failure to identify oneself to these persons when requested to do so
4.03	Use of alcoholic beverages including the purchase, serving, consumption, possession, or sale of such items on College property or any College sponsored event or activity; being under the influence of alcohol or other controlled substances on College property or any College sponsored event or activity (See complete alcohol and drug policy athttp://www.nvcc.edu/current-students/police/college-safety)
4.04	Gambling or holding a raffle or lottery on the campus or at any College function without proper approval
4.05	Possessing, using, selling or distributing controlled substances (as defined by the College at http://www.nvcc.edu/current-students/police/college-safety)
4.06	Violation of federal , state or local laws

Possible Administrative Sanctions

Level of Violation	Minimum Sanction	Maximum Sanction
Minor	Disciplinary Warning	Disciplinary Probation
Moderate	Disciplinary Probation/Deferred Suspension	Suspension
Major	Suspension	Expulsion

Possible Educational Sanctions:

Counseling, community service, reflection/research paper, review relevant article, restitution, policy review, police ride along, alcohol/drug education program,

5. Academic Integrity – NOVA students exemplify honesty and integrity in all their academic work.

Minor or moderate violations of academic integrity are handled by Academic Deans; major violations are referred to the Dean of Students for disciplinary action. See the Code of Academic Integrity for more complete information.

Behavior that violates this value includes but is not limited to:

Charge Code Number	Charge Code
5.01	Plagiarism – taking another's work and claiming it to be one's own
5.02	Falsification and Fabrication – providing misinformation about a source with the *intent to deceive;* misrepresenting an author's findings or conclusions.
5.03	Cheating – *intentionally* accepting and/or giving aid to oneself or another to gain a higher grade or other academic advantage

Possible Administrative Sanctions:

Level of Violation	Minimum Sanction	Maximum Sanction
Minor	Warning	Grade of U or F on the assignment
Moderate	Grade of U or F on the assignment	Grade of U or F for the course
Major	Suspension	Expulsion

Possible Educational Sanctions:
Reflection/research paper, online ethics seminar, online plagiarism tutorial

Conduct Process

Step 1: Informal Resolution Meeting

The Dean of Students will have an initial meeting with the student in order to determine whether disciplinary charges should be initiated. The Dean will advise the student of the allegation(s) and explain the student conduct process and clarify the student's rights and responsibilities. Every effort will be made to resolve the matter by mutual agreement. Following the preliminary meeting the Dean will take one of the following actions:

1. If the student fails to appear, the dean may find the student responsible and impose sanctions.
2. If there is no basis for the allegation or if it does not warrant disciplinary action, the dean will dismiss the allegation.
3. If the student accepts responsibility, the dean will impose sanctions and no further hearing is required.

If the student does not accept responsibility, the dean will initiate formal disciplinary charges.

Step Two: Formal Hearing

If formal charges are filed, the student, with the Dean's concurrence, may choose one of two hearing options:

1. A formal administrative hearing by the Dean of Students; or
2. A formal hearing by a Student Conduct Panel.

Hearing Process

At the hearing, the Dean of Students or chair of the panel will ask the student to respond to the charges. If the student admits responsibility for the charges, the student will be given an opportunity to explain any mitigating circumstances. If the student denies the charges, the hearing will proceed. The burden of proof rests with the complainant. The Dean of Students or the panel will determine responsibility by preponderance of the evidence (more likely than not). The hearing will be held whether or not the student attends.

The Dean of Students will impose sanctions on students found responsible for violating the Code of Conduct following the hearing. Prior to sanctioning, students found responsible may present no more than two written statements of mitigating factors or character references. Complainants may present a written impact statement.

Written notification of the sanction will be sent to the students via the student's VCCS email account within ten business days following the hearing. Any sanction imposed at the campus level applies to the entire College.

The College may extend deadlines at its discretion.

Hearing Guidelines

The student must receive notice at least five business days before the scheduled hearing. Notice of the charge(s) and of the time and place of the hearing shall be sent to the student and all involved parties. Upon request, students will be allowed access to any and all known materials to be introduced by the College as evidence against them.

Hearings will be closed to the public and press. All proceedings and decisions will be confidential except as permitted or required by law. All decisions of the proceedings will be provided to the complainant and accused student as well as to College officials on a need-to-know basis. Hearings will be recorded. Related information including names, contact information, and relevance of witnesses must be submitted to the Dean of Students, in writing, at least three business days prior to the hearing. Students may submit a signed statement to the Dean of Students at least three days prior to the hearing, which includes any information or facts they wish to be considered in the review of the case, whether or not the student chooses to appear for the hearing.

The complainant and the accused student have the following rights:

1. To present an account of their involvement with the incident leading to the charge(s). The initial account must be presented in writing at least three business days in advance of the hearing.
2. To present information, witnesses, and evidence on their behalf. Witness statements and evidence must directly relate to the incident in question.
3. To question any witnesses or rebut any evidence presented at the hearing. The Dean or the chair of the panel may require that questions be submitted in writing.
4. To remain silent without assumption of responsibility.
5. To have an advisor at the hearing.
    a. A student who intends to have an advisor present at the hearing must notify the Dean of Students, in writing, at least three days prior to the hearing. The notice must contain the advisor's name, contact information, and relationship to the student.

b. The advisor's role is not to represent the complainant or accused student. The advisor may not speak for the individual or ask questions of witnesses or complainants.
c. The advisor must agree to sign a confidentiality agreement.

Student Conduct Panel

By the beginning of the fall semester, the Provost at each campus will appoint a pool of faculty, staff, and (when possible) students to serve on student conduct panels. For each individual hearing, the Provost will appoint three members from the pool to serve on the hearing panel; a panel may include no more than one student. The Provost will designate one panel member to serve as the chair. The Provost has the option of appointing panel members from any campus.

All prospective panel members will be trained in the hearing processes; training will be coordinated by the Associate Vice President for Student Services and Enrollment Management with support from Human Resources. Members will serve for two years with the option to serve multiple terms with the Provost's approval.

The role of the conduct panel is to listen to the incident details, ask questions, determine the facts, and review the evidence presented. The panel is tasked with rendering a determination of responsibility based on a preponderance of the evidence. In the event that the student is found responsible for the charge(s), the panel will recommend sanctions to the Dean of Students, who will make a final determination of sanctions and will formally inform the student and the panel members of the decision. Expulsions must be approved by the President of the College.

Step Three (if applicable): Appeal

Appeals are not intended to be re-hearings of the complaint. In most cases, appeals are confined to a review of the written documentation or record of the original hearing, and pertinent documentation regarding the grounds for appeal.
Appeals shall be made to the appropriate Administrative Council member:

1. Appeals for campus processes coordinated by the Dean of Students shall be made to the Provost of that campus.
2. Appeals for ELI processes coordinated by the ELI Director of Student Services shall be made to the Vice President for Instructional and Information Technology.
3. Appeals for Workforce Development processes coordinated by the Associate Vice President for Workforce Development shall be made to the Vice President for Workforce Development.
4. Appeals for multi-campus processes coordinated by the Associate Vice President for Student Services and Enrollment Management shall be made to the Executive Vice President.

Appeal Guidelines

- Sanctions imposed will be in effect while the appeal process takes place. Exceptions may be made on a case-by-case basis when necessary for the integrity of academic programs.
- Requests for appeal must be submitted in writing and received within five business days of receiving the written notice of the decision. Appeals submitted by email must be sent from the student's VCCS email address and have "Student Conduct Appeal" as the subject line. Failure to submit a complete appeal packet within the allotted time will render the original decision final.
- The party requesting appeal must show error, as the original finding and sanction are presumed to have been decided reasonably and appropriately. The only grounds for appeal are as follows:

    - A procedural or substantive error occurred that significantly impacted the outcome of the hearing.
    - To consider new evidence, unavailable during the original hearing or investigation, that could substantially impact the original finding or sanction. A summary of this new evidence and its potential impact must be included.
    - The sanctions imposed are substantially disproportionate to the severity of the violation.
- The Administrative Council member reviews the request to see if it meets the limited grounds and is timely. The Administrative Council member may:
    - Find that the appeal is not timely or substantive and dismiss it. The decision is final.
    - Affirm the finding and sanction imposed in the original decision. The decision is final.
    - Affirm the finding and reduce, but not eliminate, the sanction. The decision is final.
    - Remand the case to the Dean of Students or the original panel for consideration of new evidence. The decision of the Dean of Students or panel is final. In rare cases where the procedural error cannot be resolved by the Dean or original panel, such as in cases of bias, the Administrative Council member may appoint a new panel to rehear the case. The results of the panel are final.
- A student who has exhausted the appeal process has no right to file a grievance related to the case

Records

All records of the alleged violation and materials pertaining to and resulting from the hearing of the case will be retained by the College.

A recording of the hearing will become the property of the College. Students may review the recording at a college location upon request for up to thirty days after the hearing. Students may request a copy of the recording, but the College will charge for the copy.

Records will be retained for seven years except in the case of suspension or expulsion, which will become a permanent part of the student's record. When a student is deemed to present a significant threat to the College community, a notation will be placed in the Student Information System to prevent the student's registration at any VCCS college.

Disclaimer

The information in this Annual Security Report is accurate upon publication but due to potential changes in law, policies, and other factors, please visit the appropriate NOVA website page to ensure the most recent policy information is obtained.